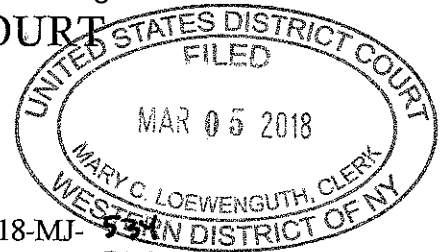


## UNITED STATES DISTRICT COURT

for the  
Western District of New York

## In the Matter of the Search of

(Briefly describe the property to be searched or identify the person by name and address.)

Case No. 18-MJ- 534

the premises located at 10 Campbell Park, Rochester, New York; 202 Rand Street, Rochester, New York; 75 Barker Street, Rochester, New York; 100 Santee Street, Rochester, New York; 679 Eaton Road, Rochester, New York; 174 Clay Avenue, Rochester, New York; 95 Taft Avenue, Rochester, New York; 371 Jay Street, Rochester, New York and 17 Campbell Park, Rochester, New York

18 MJ 535  
18 MJ 536  
18 MJ 537  
18 MJ 538  
18 MJ 539  
18 MJ 540  
18 MJ 541  
18 MJ 542

## APPLICATION FOR A SEARCH WARRANT

I, JERRY STYERS, a U.S. Postal Inspector with U.S. Postal Service, request a search warrant and state under penalty of perjury that I have reason to believe that there is now concealed on the following person or property located in the Western District of New York (identify the person or describe property to be searched and give its location):

The subject property to be searched: **the premises located at 10 Campbell Park, Rochester, New York, more fully described in Attachment A.**

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized): **See Attachment B for the Items to be Seized, all of which are fruits, evidence and instrumentalities in violation of Title 21, United States Code, Sections 841 and 846, and all of which are more fully described in the application and affidavit filed in support of this warrant, the allegations of which are adopted and incorporated by reference as if fully set forth herein.**

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of **Title 21, United States Code, Sections 841 and 846**, and the application is based on these facts which are continued on the attached sheet.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

JERRY S. STYERS, U.S. Postal Inspector, USPS

Printed name and title

Sworn to before me and signed in my presence.

Date: March 5, 2018

Judge's signature

City and State: Rochester, New York

HON. JONATHAN W. FELDMAN, U.S. Magistrate Judge

Printed name and title

**ATTACHMENT A**  
**Property to be Searched**

**Residence located at 679 Eaton Road, Rochester, New York, 14617**

The Subject Premises to be searched is located at 679 Eaton Road, Rochester, New York, 14617. 679 Eaton Road, Rochester, New York, 14617 is a single family residence with a detached garage. The residents of the property are Phou Daoreuang and his wife Jenalyn (Prejsnar) Daoreuang. The house and garage are north-facing structures located on the south side of Eaton Road.

Both the single family residence and the garage are covered in light blue siding with dark blue trim. There are two entry doors to the residence, one on the front (North) side and one on the west side of the residence. The numbers "679" are affixed to a light pole in the front yard of this dwelling in black numbers. The dwelling has a detached garage blue in color

The area to be searched would include the residence and all attached areas located at 679 Eaton Road, Rochester, New York, 14617, to include all the residence's storage areas, curtilage, occupants, and any person present thereat or therein. A photograph of the Subject Premises is attached hereto.



**ATTACHMENT A**  
**Property to be Searched**

**Residence located at 371 Jay Street, Rochester, New York, 14611**

The Subject Premises to be searched is located at 371 Jay Street, Rochester, New York, 14611. 371 Jay Street, Rochester, New York, 14611 is a single family residence. The resident of the property is Viriyavong Kongchanh.

The single family residence is covered in tan siding with white trim. The residence faces North and is on the south side of Jay Street approximately 100 feet west of Grape Street. There is an entry door on the front (North) side and the rear (South) of the residence. The number "371" in black numbers is attached to the front of the residence.

The area to be searched would include the residence and all attached areas located at 371 Jay Street Rochester, NY 14611. To include all the residence's storage areas, curtilage, occupants, vehicles and any person present thereat or therein. A photograph of the Subject Premises is attached hereto.



**ATTACHMENT A**  
**Property to be Searched**

**Residence located at 202 Rand Street, Rochester, New York, 14615**

The Subject Premises to be searched is located at 202 Rand Street, Rochester, New York, 14615. 202 Rand Street, Rochester, New York, 14615 is a single family residence with a detached garage. The property is owned by Kongchay Kongthong 11/15/1967. The house and garage are south-facing structures located on the north side of Rand Street, approximately 150 feet east of Aster Street.

Both the single-story house and the garage are covered in gray siding and the house has white trim. There are black numbers "202" attached to the front of the residence near the front door staircase. There are three entry doors to the residence. The front door is accessed by four stairs and a small covered porch. The east side entry door is accessed by the driveway and the rear door is a sliding glass door accessed by a large rear yard deck.

The garage is detached from the residence and located to the rear of the home. The garage door is white in color, one piece with no windows.

The area to be searched would include the residence and all attached areas located at 202 Rand Street, Rochester, New York, 14615, to include all the residence's storage areas, curtilage, occupants, vehicles and any person present thereat or therein. A photograph of the Subject Premises is attached hereto.



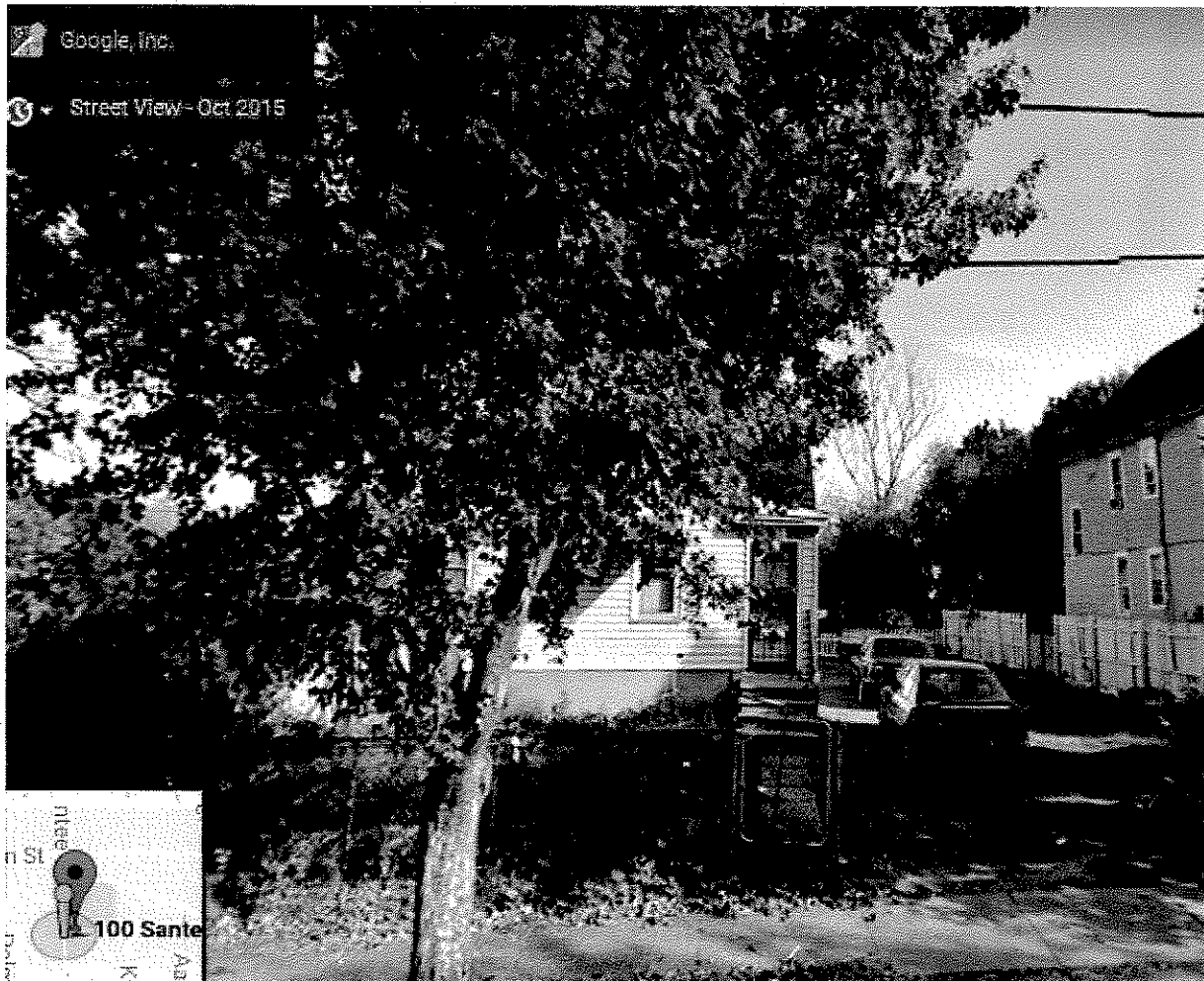
**ATTACHMENT A**  
**Property to be Searched**

**Residence located at 100 Santee Street, Rochester, New York, 14606**

The Subject Premises to be searched is located at 100 Santee, Rochester, New York, 14606. 100 Santee Street, Rochester, New York, 14606 is a single-family residence with an attached garage. The residents of the property are Len P. Duangtavilay and Moune Duangtavilay.

100 Santee Street, Rochester, New York, 14606. The location is a single-family residence with green siding and white trim. The single-family residence is located on the eastside of Santee Street and the front of the dwelling faces west. The numbers "100" are affixed to the front of the dwelling, left of the front door, in black color. This dwelling has a detached garage.

The area to be searched would include the residence and all attached areas located at 100 Santee Street, Rochester, New York, 14606, to include all the residence's storage areas, curtilage, occupants, and any person present thereat or therein. A photograph of the Subject Premises is attached hereto.



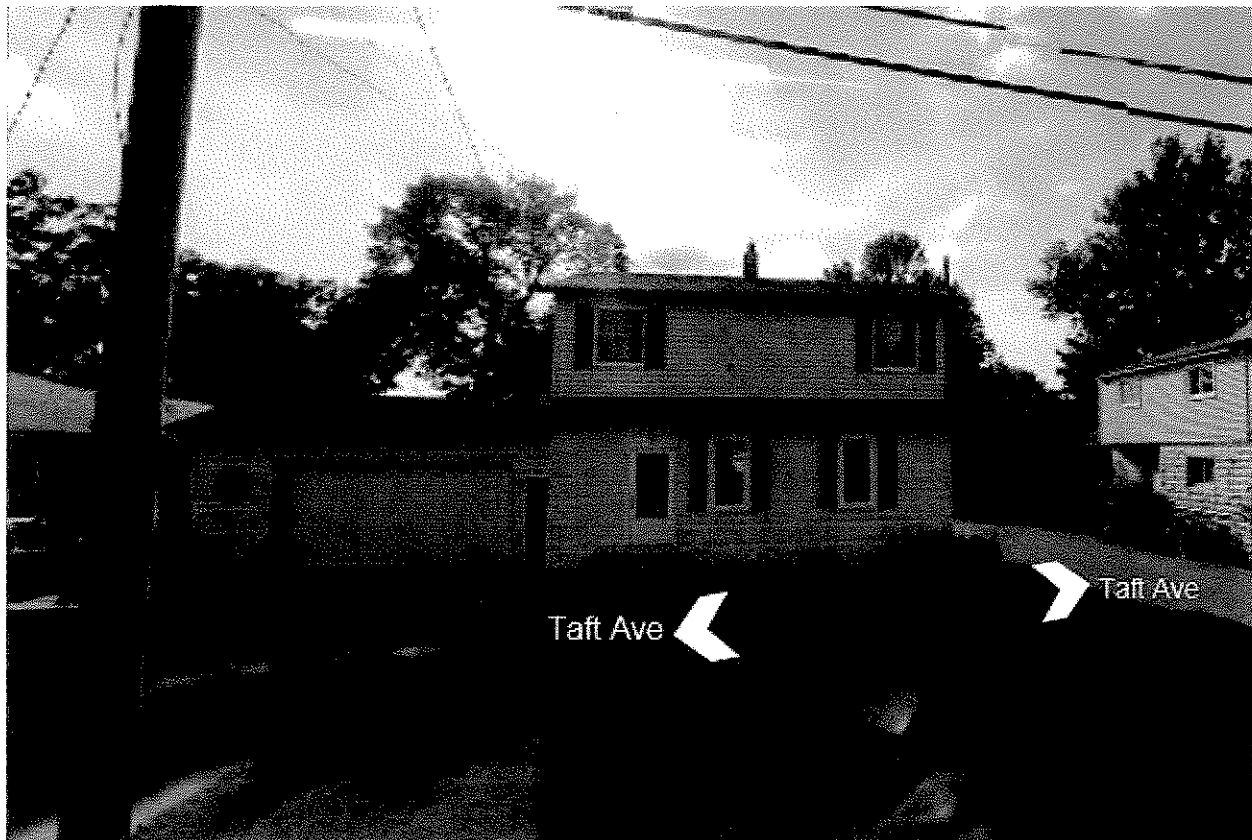
**ATTACHMENT A**  
**Property to be Searched**

**Residence located at 95 Taft Avenue, Rochester, New York, 14609**

The Subject Premises to be searched is located at 95 Taft Avenue, Rochester, New York, 14609. 95 Taft Avenue, Rochester, New York, 14609 is a single-family residence with an attached garage. The residents of the property are Darounsak Daoreuang and Viengthong Daoreuang.

**95 Taft Avenue**, Rochester, New York, 14609. The location is a single-family residence with tan siding and white/ trim. The single-family residence is located on the southside of Taft Avenue and the front of the dwelling faces north. The numbers "95" are affixed above the garage door in black colors.

The area to be searched would include the residence and all attached areas located at 95 Taft Avenue, Rochester, New York, 14609, to include all the residence's storage areas, curtilage, occupants, and any person present thereat or therein. A photograph of the Subject Premises is attached hereto.



**ATTACHMENT A**  
**Property to be Searched**

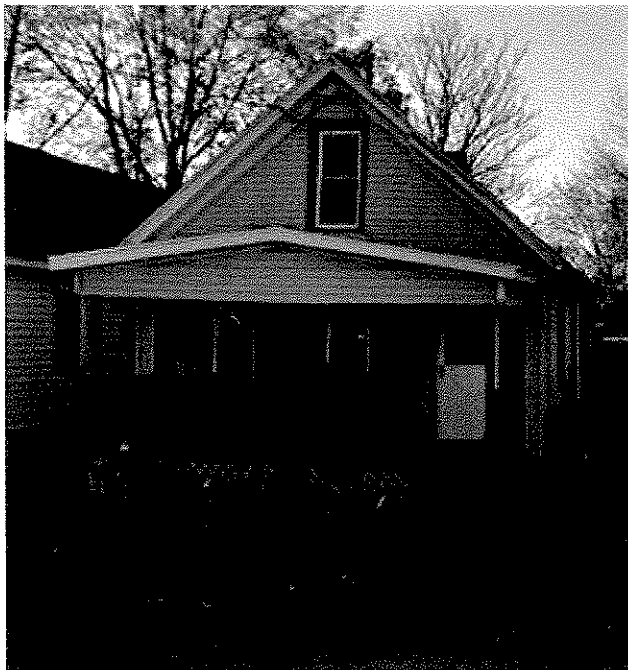
**Residence located at 75 Barker Street, Rochester, New York, 14611**

The Subject Premises to be searched is located at 75 Barker Street, Rochester, New York, 14611. 75 Barker Street, Rochester, New York, 14611 is a single family residence located on the west side of the street approximately 100 feet south of Jay Street. The property is owned by Phoumano Duangtavilay, however the residents are family and co-conspirators Chandy Vongxay 05-01-1988 and Keith Surivan 11-30-1977.

The single family residence has tan siding with dark brown trim. There are 3 stairs leading to an open front porch located on the front of the residence and the number "75" in white affixed to the front porch post left of the stairs. There is no garage with the property. The residents own a 2011 Honda Accord, color black, bearing New York registration HLH4153, which they park on the street in front of the residence.

The main entrance to the residence is a white, right handed front door which is protected by a left handed white aluminum storm door. Both doors are on the east side (front) of the house accessed by standing on the front porch.

The area to be searched would include the residence and all attached areas located at 75 Barker Street, Rochester, New York, 14611, to include all the residence's storage areas, curtilage, occupants, vehicles, and any person present thereat or therein. A photograph of the Subject premises is attached hereto.



**ATTACHMENT A**  
**Property to be Searched**

**Residence located at 10 Campbell Park, Rochester, New York, 14606**

The Subject Premises to be searched is located at 10 Campbell Park, Rochester, New York, 14606. 10 Campbell Park, Rochester, New York, 14606 is a single family residence with an attached garage. The residents of the property are Khonesavanh Vongxay and her husband Phoumano Duangtavilay. The house and garage are west-facing structures located on the northeast corner lot of Jay St and Campbell Park. The driveway enters the property from Campbell Park and leads straight to the garage, which is attached to the side of the house.

Both the single-story house and the garage are covered in tan vinyl siding and the house has white trim. The main entrance of the house faces west and is contained on a small covered porch. The main entrance door is black and is covered by a glass storm door with white trim. There is a single white pillar to the left of the front door. North of the main entrance, there is another entrance. This secondary entrance door leads to the garage and a breezeway attaching the garage to the residence. This secondary entrance is white and is covered by a white storm door. A black mailbox is affixed to the west side of the structure between the secondary entrance and the garage. The number "10" is affixed to the front of the residence in white stickers.

The garage is attached to the home at its northwest corner, with one overhead-style door on the west side. The garage door is white and contains 8 window panes which are contained in white trim. There are 2 white security flood lights affixed to the vinyl siding above the overhead door.

The area to be searched would include the residence and all attached areas located at 10 Campbell Park, Rochester, New York, 14606, to include all the residence's storage areas, curtilage, occupants, and any person present there at or therein. A photograph of the Subject Premises is attached hereto.





**ATTACHMENT A**  
**Property to be Searched**

**Residence located at 17 Campbell Park, Rochester, New York, 14606**

The Subject Premises to be searched is located at 17 Campbell Park, Rochester, New York, 14606. 17 Campbell Park, Rochester, New York, 14606 is a single family residence with a detached garage. The resident of the property is Kongdeuane Vongxay. The house and garage are east-facing structures located on Campbell Park. The driveway enters the property from Campbell Park and runs up the left side of the residence leading straight to the garage, which is detached and to the rear of the house.

The two-story house is painted blue and has white trim. The main entrance of the house faces east and is contained on a covered porch. The main entrance door is white and is covered by a glass storm door with white trim. There is a single white pillar to the left of the front door and two white pillars to its right. South of the main entrance, there is another entrance. This secondary entrance door leads into the residence and is covered by a small roof overhang. This secondary entrance is covered by a white storm door. A black mailbox is affixed to the front of the residence to the right side of the front door. The number "17" is affixed to the pillar to the left of the front door in black numerals.

The garage is detached from the home and sits in the southwest corner of the property behind the residence. It has one overhead-style door on the east side. The garage door is blue and has a white diamond pattern painted on the front. There is a basketball hoop attached to the garage above the overhead door.

The area to be searched would include the residence and all attached areas located at 17 Campbell Park, Rochester, New York, 14606, to include all the residence's storage areas, curtilage, occupants, and any person present thereat or therein. A photograph of the Subject Premises is attached hereto.



**ATTACHMENT A**  
**Property to be Searched**

**Residence located at 174 Clay Avenue, Rochester, New York, 14613**

The Subject Premises to be searched is located at 174 Clay Avenue, Rochester, New York, 14623. 174 Clay Avenue, Rochester, New York, 14623 is a single-family residence with a detached garage. The residents of the property are Danisha Floyd and Joseph Amadis.

**174 Clay Avenue**, Rochester, New York. The location is a single family dwelling with gray siding and white trim. The single family dwelling is located on the southside of Clay Avenue and the front of the dwelling faces north. The numbers "174" are affixed to the left of the front door in black color.

The area to be searched would include the residence and all attached areas located at 174 Clay Avenue, Rochester, New York, 14623, to include all the residence's storage areas, curtilage, occupants, and any person present thereat or therein. A photograph of the Subject Premises is attached hereto.



**ATTACHMENT B**

**ITEMS TO BE SEARCHED FOR AND SEIZED AT SUBJECT PREMISES**

- a. Financial records: including but not limited to documents, records, and items related to narcotics trafficking. Such records are to include accounting records, such as financial statements, ledgers, journals, invoices, credit card records, check registers, stamps, notes, correspondence, and records of business and personal expenditures; records reflecting income; and records evidencing the receipt or disbursement of funds.
- b. Bank records: including but not limited to account opening documents, statements, deposit tickets, cancelled checks, check registers, receipt books, wire transfers, official checks, cashier's checks, money orders, investment statements, foreign banking records, and safe deposit box records and keys;
- c. Storage records reflecting any off-site locations to store records, financial instruments or controlled substances, including but not limited to safe deposit box keys and records and receipts of rental agreements for storage facilities, whether such records are stored in documentary or electronic form.
- d. Customer Lists: in any form, including lists of telephone numbers, addresses, rolodexes, calendars, and appointment books.
- e. Business and personal records: including customer profiles and contact information, telephone scripts, telephone logs, telephone messages, calendars, calendar entries, diaries, client debt portfolios, lists of debtors, and debt payment details, correspondence, mailing envelopes, notes, memoranda, and/or mailing records;
- f. Tax records
- g. Any lockbox, safe, or vault found on the Subject Premises.
- h. Computers, Electronic Media, and Cellular Phones: The seizure of Computers, Electronic Media and Cellular phones is authorized under this warrant, but any search of the seized computers, cellular phones and electronic media shall be based upon a separate search warrant, made within a reasonable time to the Court after the seizure of said electronic media.
- i. Marijuana and other non-prescription controlled substances.
- j. Currency or other monetary instruments.
- k. Photographs depicting any co-conspirators
- l. Drug paraphanelia or equipment to include but not be limited to bags, heat sealers, packaging materials, scales, and boxes.

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANTS**

STATE OF NEW YORK    )  
COUNTY OF MONROE    )    SS:  
CITY OF ROCHESTER    )

I, JERRY S. STYERS, being duly sworn, deposes and says:

**INTRODUCTION AND AGENT BACKGROUND**

1.     I am an Inspector for the United States Postal Inspection Service (USPIS), and as such I am authorized to investigate Postal offenses and civil matters relating to the Postal Service; serve warrants and subpoenas and make arrests (Title 18 U.S.C. 3061) for offenses enumerated in Title 18, United States Code, Section 2516 and Title 21, United States Code, Section 801.

2.     I make this Affidavit in support of an application for a warrant to search the following locations:

- a)     10 Campbell Park, Rochester, NY - the residence of PHOUMANO DUANGTAVILAY, KHONESAVANH VONGXAY, KONGDEUANE VONGXAY, and JAMES VONGXAY.
- b)     202 Rand Street, Rochester, NY - the residence of KONGCHAY KONGTHONG and MANIVONE PHOMMAVISETH.
- c)     75 Barker Street, Rochester, NY - the residence of CHANDY VONGXAY and KEITH SURIVAN.
- d)     100 Santee Street, Rochester, NY – the residence of Moune Douangtavilay and Len Douangtavilay.
- e)     679 Eaton Road, Rochester, NY- the residence of PHOU DAOREUANG.
- f)     174 Clay Avenue, Rochester, NY- the residence of DANISHA FLOYD.
- g)     95 Taft Avenue, Rochester, NY- the residence of Darounsak Daoreuang and Viengthong Daoreuang.
- h)     371 Jay Street, Rochester, NY- the residence of Kongchanh Viriyavong.
- i)     17 Campbell Park, Rochester, NY – a residence owned by Mike Sypaseuth with utilities paid by KONGDEUANE VONGXAY.

The descriptions of each of these properties are more fully set out and described in Attachments A to this Affidavit.

3. The statements contained in this Affidavit are based upon my investigation, records obtained from post offices, interviews conducted by your affiant, documents and items discarded by a suspect, and on my experience and training as a Postal Inspector. Because this Affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me and have set forth only the facts that I believe are necessary to establish probable cause that evidence and fruits of violations of Title 21, United States Code, Sections 846 and 841(b)(1)(B) (conspiracy to possess with intent to distribute and to distribute marijuana) will be found at the aforementioned locations. The evidence and fruits of the crime to be searched for and seized are more fully set out in Attachments B of this Affidavit.

#### **DETAILS OF INVESTIGATION**

4. The investigation involves the use of the United States Postal Service money orders to conceal illegal profits from the sale of marijuana and the procurement of marijuana through the United States Mail for trafficking in the Rochester, New York area. In order to aid in hiding the location of the controlled substance trafficking business as well as foster their processing of illicit funds received from their customers, this investigation has revealed that PHOUMANO DUANGTAVILAY, KHONESAVANH VONGXAY, KONGCHAY KONGTHONG, MANIVONE PHOMMAVISETH, JAMES VONGXAY, CHANDY VONGXAY, KEITH SURIVAN, PHETNALAY DOUNGTAVILAY, PHOU DAOREUANG, DANISHA FLOYD, JERIMIAH TORRES, PATHANA VONGXAY and KONGDEUANE VONGXAY operate a network of locations in the Rochester area that process and move marijuana and illegal proceeds through multiple residences, and use Postal

structured purchases of Postal money orders to launder the illegal proceeds and purchase marijuana in furtherance of trafficking operations. These individuals are contemporaneously being charged in a Criminal Complaint with violating Title 21, United States Code, Sections 846 and 841(b)(1)(B) (conspiracy to possess with intent to distribute and to distribute 100 kilograms or more of a mixture or substance containing marijuana), the allegations of which are incorporate herein by reference.

5. Since late 2014, the United States Postal Inspection Service (hereinafter "USPIS") has been investigating the structured purchases of United States Postal Service (hereinafter "USPS") money orders throughout the greater Rochester, NY area. In December, 2015, New York State Police (hereinafter "NYSP") began investigating a suspected drug trafficking organization in the same geographic area. This organization has been primarily involved in the trafficking of marijuana and laundering of the proceeds of marijuana trafficking. In December 2015, USPIS and NYSP discovered they were investigating the same drug trafficking network and commenced a joint investigation into the matter.

6. As part of this investigation, the USPIS and NYSP have used several different techniques to investigate this organization, including, but not limited to: physical and video surveillance of people making structured purchases of Postal money orders at Post Offices and USPS city stations, physical and video surveillance of people making structured purchases of money orders issued by MoneyGram and Western Union at various establishments, physical and video surveillance of people mailing parcels containing money orders, record searches, analysis of money orders purchased at USPS locations, physical and video surveillance of people suspected of supplying controlled substances to this organization, physical and video surveillance of deliveries of parcels containing controlled substances to this organization,

physical and video surveillance of people purchasing controlled substances from this organization, debriefing of cooperating informants, the seizure of USPS parcels containing controlled substances and money orders, and the review of parcels containing money orders.

7. As a result of these techniques, this investigation has produced reliable evidence that PHOUMANO DUANGTAVILAY and KHONESAVANH VONGXAY are the heads of a well-established marijuana distribution organization in Rochester, New York. The investigation also revealed that DUANGTAVILAY and VONGXAY have many associates and workers who assist them in their marijuana distribution organization, including, but not limited to: KONGCHAY KONGTHONG, MANIVONE PHOMMAVISETH, JAMES VONGXAY, CHANDY VONGXAY, KEITH SURIVAN, PHETNALAY DOUNG TAVILAY, PHOU DAOREUANG, DANISHA FLOYD, JERIMIAH TORRES, PATHANA VONGXAY, and KONGDEUANE VONGXAY. These associates are used to facilitate the trafficking of marijuana throughout the Rochester area, and to make structured purchases of USPS, MoneyGram, and Western Union money orders and mail them to marijuana suppliers in California. They also receive shipments of marijuana bound for distribution and store it in residences throughout the Rochester area. In addition, they distribute marijuana to customers of the organization and accept payment from them. In doing so, they utilize multiple locations in the Rochester, New York area – which are the subject this search warrant application – and include the following locations:

- a) 10 Campbell Park, Rochester, NY - the residence of PHOUMANO DUANGTAVILAY, KHONESAVANH VONGXAY, KONGDEUANE VONGXAY, and JAMES VONGXAY.
- b) 202 Rand Street, Rochester, NY - the residence of KONGCHAY KONGTHONG and MANIVONE PHOMMAVISETH.
- c) 75 Barker Street, Rochester, NY - the residence of CHANDY VONGXAY and KEITH SURIVAN.

- d) 100 Santee Street, Rochester, NY – the residence of Moune Douangtavilay and Len Douangtavilay.
- e) 679 Eaton Road, Rochester, NY- the residence of PHOU DAOREUANG.
- f) 174 Clay Avenue, Rochester, NY- the residence of DANISHA FLOYD.
- g) 95 Taft Avenue, Rochester, NY- the residence of Darounsak Daoreuang and Viengthong Daoreuang.
- h) 371 Jay Street, Rochester, NY- the residence of Kongchanh Viriyavong.
- i) 17 Campbell Park, Rochester, NY – a residence owned by Mike Sypaseuth with utilities paid by KONGDEUANE VONGXAY.

8. Since this affidavit is being submitted for the limited purpose of obtain search warrants for the listed locations, I have not set forth all of the information know to me as a result of the investigation. Rather, I have only set forth evidence sufficient to establish probable cause for the requested search warrants regarding the listed locations.

#### MAIL PARCELS

9. The residence at 10 Campbell Park has been identified as a location used by the organization to receive suspected marijuana parcels from California. On October 5, 2016, Postal Inspector Landen Hawkins noticed 2 suspicious Postal parcels destined for 10 Campbell Park, Rochester, New York, 14606, and 1 suspicious parcel destined for 486 Mt. Read Boulevard, Rochester, New York, 14606, during a routine review of mail. The parcels were seized for further review and Inspector Hawkins applied for and secured federal search warrants for all 3 parcels. On October 7, 2016, Inspector Hawkins executed the warrant on the parcel destined for 486 Mt. Read Blvd and recovered approximately 11 pounds of marijuana that were packaged in heat-sealed bags. On October 8, 2016, Inspector Hawkins executed the warrants on the parcels destined for 10 Campbell Park and recovered approximately 22 pounds of marijuana packaged in heat-sealed bags.



10. Between November 2015 and January 19, 2018, 10 Campbell Park, Rochester, New York, 14606, has received at least 48 parcels suspected of containing marijuana, all shipped from various locations in California. These packages ranged in size from 3 to 25 pounds with an average weight of approximately 9 pounds per parcel. These parcels are of similar size, weight, and origin locations and addresses to the previous parcels that were intercepted by Postal Inspectors and destined for 10 Campbell Park, and which was found to contain marijuana.

11. During the course of this investigation, it is believed that over 1,000 parcels of suspected marijuana have been sent from locations in California to the subjects of this investigation in Rochester, New York. These parcels have, on average, weighed approximately 12 pounds, 6 ounces and most often take the form of medium-sized cardboard boxes. For example, on November 28, 2017, I seized **U.S. Postal Service Priority Mail Express parcel number EL 889 123 835 US:**

A parcel addressed to “**Kelly Smith, 38 Magee Avenue, Rochester, NY 14613**” which further bears a return address of “**Linda Smith, 8550 Florin Road, Sacramento, CA 95828.**” The Priority Mail Express parcel is a brown cardboard box measuring approximately 14” x 14” x 14,” **weighing approximately 13 pounds, 4 ounces, bearing \$106.40 in postage,** and was mailed from **Sacramento, CA 95823.** The parcel was a “Walmart.com” cardboard box that, upon execution of a federal search warrant was found to contain approximately 7 pounds, 6 ounces of vacuum-sealed leafy, green substance that field-tested positive for marijuana secreted in a metal trash can.

12. On November 28, 2018, I also seized **U.S. Postal Service Priority Mail Express parcel number EL 889 123 827 US:**

A parcel addressed to **“Kham Phim, 48 Michigan Street, Rochester, NY 14606”** which further bears a return address of **“Famous Pizza, 4400 47<sup>th</sup> Avenue, Sacramento, CA 95823.”** The Priority Mail Express parcel is a brown cardboard box measuring approximately **14” x 14” x 14,” weighing approximately 14 pounds, 4.0 ounces, bearing \$110.65 in postage,** and was mailed from **Sacramento, CA 95817.** The parcel was a **“Walmart.com”** cardboard box that, upon execution of a federal search warrant was found to contain approximately 7 pounds, 6.35 ounces of vacuum-sealed leafy, green substance that field-tested positive for marijuana secreted in a metal trash can.

13. Based on my training and experience, I am aware that the Postal Service’s Priority Mail Express service was custom-designed to fit the needs of businesses by providing overnight delivery for time-sensitive materials. Priority Mail Express parcels are typically used by businesses to send documents, often utilize typewritten labels, and are sent in pre-printed cardboard mailers. They typically weigh, on average, up to 2 pounds. In addition, due to their contents, often paperwork or bound printed matter, they often cost less than \$50.00 to mail. Corporate charge accounts were developed by the Postal Service so that businesses would be able to enter their account number directly on the Priority Mail Express label, thus avoiding time-consuming cash payments for each business mailing. Priority Mail Express also comes with a “built-in” unique tracking number that can be used to track the status of each parcel.

14. Based on my training and experience, I have learned that narcotics traffickers often utilize Priority Mail Express for the transportation of controlled substances, or the proceeds from the sale of controlled substances, based upon the fact that Priority Mail Express can quickly move the item(s) to the delivery destination. Since the Postal Service standard for Priority Mail Express parcels is overnight-delivery, Priority Mail Express parcels often make it to their destination 24 hours or less from the time they were received at a Post Office. Perhaps more importantly, the movement of packages via Priority Mail Express can also be

tracked via mobile device and/or the internet based upon the unique tracking number assigned to each specific parcel. This is important to narcotics traffickers because any delay in the delivery of the mail can serve as an indication to the mailer that the item(s) have possibly been intercepted by the U.S. Postal Inspection Service. Additionally, items sent via Priority Mail Express are considered to be First-class mail, and therefore, cannot be opened without a Federal Search Warrant.

15. I am also aware, based upon my training and experience, that parcels containing contraband often display many similar qualities. For example, these packages may often display some or all of, but not limited to, the following characteristics:

- a. Unlike typical Priority Mail Express business mailings containing documents, which usually have typed labels, parcels known to have contained controlled substances and/or their proceeds typically bear a handwritten label. Based on my training and experience, and upon the training and experience of fellow Postal Inspectors, I know that drug dealers routinely use handwritten mailing labels when they transport narcotics and/or their proceeds through the mails.
- b. The absence of a corporate account number listed on a label indicates the sender paid for postage using cash or its equivalent. A package containing controlled substances typically does not contain a corporate account number, thereby indicating that the sender of the package paid cash or its equivalent, which is less traceable. Based on my training and experience, and upon the training and experience of fellow Postal Inspectors, senders of parcels containing controlled substances are known to pay for postage using cash in order to remain anonymous and to, therefore, avoid detection.
- c. The handwritten label will often contain one or more of the following: misspelled words, incomplete addresses, fictitious addresses, or is addressed to and/or from fictitious persons. Based upon your affiant's experience and discussions with other experienced Postal Inspectors, I am aware that individuals who ship and/or receive drugs via the mail often employ fictitious return addresses and/or names not associated with the addresses, in order to avoid detection. This allows them to distance themselves from the contraband should the parcel be intercepted by law enforcement.

- d. Packages containing controlled substances are normally heavier than the typical business mailing (described in paragraph 11 above) containing documents.
- e. Parcels containing controlled substances often have an originating Post Office that is located in a different area, town or city than the return address listed on the parcel. The distance between the two locations can vary. Traveling various distances is often used by mailers of illegal narcotics and their proceeds in order to avoid detection, recognition, and/or being caught on surveillance video.
- f. Parcels containing controlled substances are often heavily taped or glued on the seams of the parcel, and/or the outside of the package is wrapped with a type of paper covering. Heavy taping or gluing of seams, or wrapping the exterior of the package is consistent with parcels known to have contained illegal narcotics. Such efforts appear to be an attempt to contain any odors which might otherwise emanate from the package. In addition, suspicious parcels sometimes are packaged in decorative boxes to appear as gifts and/or bear markings that include "fragile" or "perishable." Mailers of illegal substances sometimes use such indicators, including purchasing services such as insurance, in order to make the parcels appear more legitimate, mundane and inconspicuous.
- g. Parcels containing controlled substances may be shipped from locations which, based upon previous successful interdictions, are known source locations for the distribution of illegal narcotics.

16. Parcels found to meet any or all of the characteristics described above are often scrutinized by Inspectors through address verifications and trained narcotic-detecting canine examination. Postal Inspectors have been authorized to seize packages, including Priority Mail Express, which contain illegal and controlled substances that were shipped from areas around the country and Puerto Rico. Many locations, including California, are known source locations for illicit narcotics trafficking.

17. Based on my training and experience, I have learned that narcotics traffickers often utilize the same techniques to obfuscate the contents of parcels mailed through the U.S. Postal Service. Many of the over 100 parcels examined and seized during my career have

been constructed in the same manner. For example, in the above-referenced seizures from November 28, 2017 regarding packages sent to 38 Magee Avenue and 48 Michigan Street, where 2 separate boxes sent from 2 separate locations to 2 different addresses associated with co-conspirators of this case were sent in the same manner – 14” x 14” x 14” cardboard box containing a metal trash can, covered by a black plastic garbage bag, and which contained over 7 pounds of marijuana inside vacuum-sealed plastic bags.

18. Based on my training and experience, I also have learned that narcotics traffickers often keep records and materials concerning their suppliers and transactions in their residence as well as at other locations associated with the operation. Further, drug traffickers use various locations to serve different functions so that customers, thieves, and law enforcement personnel do not learn about any one location where large quantities of narcotics, money, and/or other drug-related assets are stored. Therefore, one or more locations are often used to store lesser amounts of narcotics, money, and/or drug related assets, and additional locations are used to meet customers;

19. In addition, based on my training and experience, I have learned that persons involved in large-scale drug trafficking conceal, in various locations, caches of drugs, drug paraphernalia, jewelry, automobiles, automobile titles, deeds to property, and other items of value and/or proceeds of drug transactions and evidence of financial transactions relating to obtaining, transferring, secreting, or spending large sums of money acquired from engaging in narcotics trafficking activities. Further, traffickers use telephones, portable cellular and digital telephones and other communication devices to further their illegal activities.

As a result, traffickers often maintain in their residences, vehicles, and locations where they conduct transactions, records and items that reflect or contain names, addresses, and/or

telephone numbers for their associates in the drug trafficking organization, or are otherwise used as part of trafficking activity, even if said records may be in code. Such records and items include telephone address books and telephone listings, text messages, voice mails, text messages, photographs, e-mails, fax messages, and personal notes reflecting names, identities, addresses, and telephone numbers.

20. Further, I have learned that drug traffickers often keep records of their illegal activities for a period of time, sometimes extending beyond the time during which they actually possess illegal controlled substances, in order to maintain contact with their criminal associates for future drug transactions, and so that they can have records of prior transactions for which, for example, a trafficker might still be owed money, or might owe someone else money.

### **LOCATIONS TO BE SEARCHED**

#### **I. 10 Campbell Park**

21. KHONESAVANH VONGXAY and PHOUMANO DUANGTAVILAY are the residents of 10 Campbell Park, having resided there since at least 2014. On January 6, 2017, NYSP Investigators conducted a garbage pull on discarded garbage at 10 Campbell Park and recovered multiple empty USPS cardboard parcel boxes. When the tracking number on these parcels were checked against Postal records by Inspector Hawkins, Inspectors discovered the following destination addresses: 75 Barker Street, Rochester, New York, 14611, 371 Jay Street, Rochester, New York, 14611, and 679 Eaton Road, Rochester, New York, 14617.

22. On January 17, 2017, NYSP surveillance observed a 2015 Jeep Cherokee, bearing New York registration GXR9150, entering the driveway at 10 Campbell Park, Rochester, New

York, 14606. A white male exited the vehicle and entered 10 Campbell Park. A short time later, the white male, identified as ELIYOHU SKOLNIK, exited the residence with a large bag. SKOLNIK placed the bag into his Jeep Cherokee and vacated the premises.

23. On January 18, 2017, Investigator Happ observed KEITH SURIVAN and CHANDY VONGXAY exit the residence at 75 Barker Road and get into a gray 2003 Honda CRV, bearing New York registration HLH5086. SURIVAN and VONGXAY proceeded to 10 Campbell Park and backed into the driveway. SURIVAN and VONGXAY entered 10 Campbell Park and, after a brief period, exited the premises. SURIVAN was observed leaving the premises with a large black garbage bag from 10 Campbell Park, which he loaded into the rear of his vehicle. Both subjects then entered the vehicle and drove away. Constant physical surveillance was conducted on the vehicle from 10 Campbell Park until it was stopped on I-81 in the Town of Triangle by NYSP Troopers Nicholas Jones and Mark Ciccotti for not having a front license plate on their vehicle. During this traffic stop, the Troopers detected an odor of marijuana upon initial contact. Verbal admissions of possession of marijuana were made by SURIVAN and over 10 pounds of marijuana was located inside a black garbage bag inside the vehicle. Both subjects were taken to the NYSP office in Whitney Point, New York, and charged with the class C felony of Criminal possession of marijuana in the first degree, New York State Penal Law 221.30.

24. On numerous occasions during this investigation, ESFRIM ROTH and MENACHEM SKOLNIK were observed by NYSP surveillance conducting activity at 10 Campbell Park. The result of this investigation shows ADAM PUTZ, ESFRIM ROTH, and MENACHEM SKOLNIK are acting in concert with the owners and residents of 10 Campbell Park to traffic marijuana in the Rochester area. Your affiant asserts, based on his

training and experience, that evidence associated with the sale and/or possession of marijuana and proceeds from the sale of marijuana may be located inside 10 Campbell Park.

25. On January 18, 2017, NYSP physical surveillance observed ESFRAM ROTH and MENACHEM SKOLNIK as they arrived at 10 Campbell Park operating the Jeep Cherokee, bearing New York State registration GXR9150. Investigators observed ROTH and SKOLNIK enter 10 Campbell Park and exit the residence, a short time later, holding a large bag. Investigators witnessed them placing the bag into the Jeep Cherokee and leave together in the Jeep Cherokee.

26. On January 30, 2017, NYSP physical surveillance observed ESFRAM ROTH backing into the driveway at 10 Campbell Park while operating the Jeep Cherokee, New York State registration GXR9150. At the same time, NYSP observed ADAM PUTZ arriving at 10 Campbell Park driving a 2011 Subaru Impreza, bearing New York registration HLJ6856. ROTH and PUTZ met and proceeded to enter 10 Campbell Park together. A short time later, ROTH and PUTZ exited the residence together- each holding two Postal boxes and one large black trash bag. They were then observed placing these items into the Jeep Cherokee and leaving the area. NYSP surveillance followed both vehicles, the Cherokee operated by ROTH and the Impreza operated by PUTZ, to 14 Franklin Street in Rochester, New York.

27. On January 31, 2017, NYSP physical surveillance observed ESFRAM ROTH driving the Jeep Cherokee and backing into the driveway of 10 Campbell Park. ROTH was observed entering 10 Campbell Park. A short time later, ROTH exited 10 Campbell Park holding two Postal boxes and one large black trash bag. He proceeded to place all the items into the Jeep Cherokee and leave the area. NYSP followed the Jeep Cherokee until ROTH pulled over in the area of St. Paul Street and the inner loop in Rochester, New York and



conducted counter-surveillance on the NYSP surveillance vehicle and surveillance ceased.

28. On February 1, 2017, NYSP Investigator Happ conducted surveillance on PUTZ and ROTH. Investigator Happ observed PUTZ and ROTH parking both of their vehicles in the garage of 14 Franklin Street in Rochester, New York. NYSP performed a utilities check of 14 Franklin Street and discovered ADAM PUTZ resides at 14 Franklin Street, Apartment 507. Further investigation by NYSP revealed that ESFRAM ROTH resides at 14 Franklin Street, Apartment 503.

29. The boxes NYSP observed being removed from 10 Campbell Park by PUTZ, SKOLNIK, and ROTH were visually consistent with the parcels that had previously been seized during the investigation. Each of these seized parcels has contained over 10 pounds of marijuana. Using this knowledge, along with his training and experience in narcotics investigations, Investigator Happ applied for and received state search warrants for the premises at both 14 Franklin Street, Apartment 503 and 14 Franklin Street, Apartment 507.

30. On February 14, 2017 the search warrants were executed at 14 Franklin Street, Apartment 503, and 14 Franklin Street, Apartment 507. As a result, NYSP recovered and seized approximately 80 pounds of marijuana and approximately \$59,000.000 in U.S. currency. In addition, multiple Postal boxes were seized from the site. These boxes were consistent with others observed during this investigation.

31. On multiple occasions during the course of this investigation, NYSP surveillance has noted the presence of JAMES VONGXAY at 10 Campbell Park. The result of this investigation shows VONGXAY, who is an intermittent resident of 10 Campbell Park, is acting in concert with the owners and residents of 10 Campbell Park. Your affiant asserts, based on his training and experience, that evidence associated with the sale and/or possession

of marijuana and proceeds from the sale of marijuana may be located inside 10 Campbell Park.

32. On June 6, 2017, JAMES VONGXAY was observed during NYSP surveillance at 10 Campbell Park. Investigators observed VONGXAY removing a book bag from inside 10 Campbell Park and placing it into a Ford Edge, bearing New York registration HJJ1841. Investigators also observed VONGXAY remove a cardboard box from a BMW parked at 10 Campbell Park and place it into the Ford Edge. Investigators then saw VONGXAY and an unknown white male the area in the Ford Edge. The unknown white male was operating the Ford Edge and VONGXAY was sitting in the passenger seat. NYSP continued surveillance on the Ford Edge from its departure from 10 Campbell Park through its arrival at 310 Village II Drive in the Village of Hilton, Town of Parma, New York. NYSP Trooper Manibanseng observed VONGXAY and the unknown white male exit the Ford Edge and carry a cardboard box, the book bag from 10 Campbell Park, and unknown items which were covered by clothing. Trooper Manibanseng then saw them enter 310 Village II Drive and proceed to the second floor. Trooper Manibanseng then observed the unknown white male exiting 310 Village II Drive and driving to the Family Dollar store near Route 259 and Village II Drive. NYSP surveillance then observed the unknown white male enter the Family Dollar and purchase scissors and candy. The unknown male was then observed exiting Family Dollar, driving back to 310 Village II Drive, and entering the residence through the front door.

33. An address check by NYSP revealed that TYLER KREUZER resides at 310 Village II Drive, Apartment E, Hilton, New York. Later that day, KREUZER, VONGXAY, and the unknown white male were observed exiting the second floor of 310 Village II Drive and entering the Subaru Impreza operated by PUTZ. They were then observed driving to the rear

of the apartment complex. A short time later, all three males returned to 310 Village II Drive; entered the front of the building; and proceeded to the second floor. Trooper Manibanseng entered 310 Village II Drive and walked to the second floor. Trooper Manibanseng walked to apartment E on the second floor and could hear several males talking and the sound of scissors snipping something. Trooper Manibanseng could smell a strong odor of fresh marijuana coming from inside apartment E.

34. A short time later, NYSP observed an unknown white female and unknown white male arrive at 310 Village II Drive operating a 1993 Chevrolet pickup truck, bearing New York registration GAX-9602. The unknown white male was observed exiting the passenger seat of the truck and entering the front door of 310 Village II Drive empty-handed. A few minutes later, the same unknown white male exited 310 Village II Drive holding a gym bag and entered the pickup truck. The pickup truck then departed the area.

35. Using this information, NYSP applied for and received a state search warrant for the premises at 310 Village II Drive. On June 6, 2017 the search warrant was executed at 310 Village II Drive and resulted in the seizure of approximately 1 pound of marijuana and \$3,000 in U.S. Currency.

36. During the course of this investigation, additional activity has been observed in and around 10 Campbell Park that leads your affiant to assert, based on his training and experience, that evidence associated with the sale and/or possession of marijuana and proceeds from the sale of marijuana may be located inside 10 Campbell Park.

37. On June 19, 2017, members of the NYSP Community Narcotics Enforcement Team (CNET) observed JULIO SURILLO remove a large black garbage bag from 10 Campbell Park. SURILLO was observed placing this garbage bag into the trunk of his

vehicle, New York registration HRX-9203, and leaving the area. At approximately 4:25 PM, NYSP Trooper Eallonardo observed a white 2002 Toyota Camry, New York registration HRX-9203, proceeding northbound on Glide Street in Rochester, New York. Following a traffic violation at the intersection of Glide Street and Emerson Street, Trooper Eallonardo conducted a traffic stop on the Camry at McNaughton Street just south of Emerson Street. Trooper Eallonardo identified the operator of the Camry as JULIO C. SURILLO. During his conversation with SURILLO, Trooper Eallondaro detected the odor of burnt marijuana from inside the vehicle. When Trooper Eallonardo questioned him, SURILLO acknowledged the odor and stated a female occupant had recently "smoked weed" in the car. SURILLO was detained and a vehicle search revealed a large trash bag in the trunk which contained suspected marijuana. SURILLO was arrested, the trash bag was secured, and the Camry was impounded.

38. NYSP completed a field test on the suspected marijuana which resulted in a positive test for the presence of THC. The marijuana was weighed using a certified scale at the NYSP office in Rochester revealing 15.4 pounds. The marijuana was later placed into evidence at NYSP CNET's Western Office. SURILLO was arrested and charged with Criminal Possession of Marijuana.

39. In 2017, the exact date being withheld to protect the cooperating witness' identity, NYSP Investigators spoke with a cooperating witness ("CW 1") regarding the marijuana distribution and trafficking activities of the co-conspirators in this case, specifically KOHNESEAVANH VONGXAY and PHOUMANO DUANGTAVILAY. CW 1 was arrested in 2017 and charged with state drug trafficking offenses. CW 1 pled guilty to state charges and agreed to cooperate with law enforcement in the investigation of other drug

traffickers as part of his plea agreement. CW 1's reliability has been established through substantial corroboration by the investigators of information provided by CW 1

40. CW 1 informed investigators that VONGXAY and DUANGTAVILAY were trafficking marijuana from the residence at 10 Campbell Park. CW 1 stated he purchased marijuana from co-conspirators at 10 Campbell Park on numerous occasions. When NYSP Investigators asked CW 1 if he knew how VONGXAY and DUANGTAVILAY procured marijuana for sale, CW 1 stated VONGXAY and DUANGTAVILAY got marijuana from a source in California. CW 1 stated VONGXAY and DUANGTAVILAY, or their associates, would fly to California and purchase marijuana. They would purchase the marijuana from suppliers with money orders, rent a room at an AirBnb or hotel, prepare the marijuana for shipment, and mail it back to Rochester, New York. CW 1 stated VONGXAY and DUANGTAVILAY, or their associates, would repackage the marijuana in cardboard boxes and mail it from California U.S. Post Offices back to Rochester.

41. On June 27, 2017 a photographic image of VONGXAY and DUANGTAVILAY was captured at a USPS self-service kiosk (hereinafter "SSK") in Los Angeles, California. The image was one routinely recorded by the SSK to document purchases at the machine. Postal Inspectors examined the purchase information from the SSK and discovered the postage purchased was used to mail a parcel to 10 Wait Street, Rochester, New York.

42. On September 8, 2017, your affiant was alerted to the following outgoing Priority Mail Express envelope that was suspected to contain proceeds of narcotics sales:

USPS Tracking number EL 758 576 365 US

To: Chris Duong  
13200 Casa Linda Ln, Apt # 4  
Garden Grove, CA 92844

From: Chandy V  
17 Campbell Pk  
Rochester, NY 14606

43. On September 13, 2017, a search warrant for the Priority Mail Express envelope was executed and it was found to contain \$4,000.00 in USPS, Western Union, and MoneyGram money orders. The money orders and associated serial numbers were recorded and returned to the mail stream. It should be noted that the residence at 17 Campbell Park is located across the street from 10 Campbell Park.

44. On October 9, 2017 DAROUNSAK DAOREUANG and PHOUMANO DUANGTAVILAY flew from Buffalo, New York to Los Angeles, California on JetBlue, flight number 491. DUANGTAVILAY, who is the owner and resident of 10 Campbell Park, has been observed transporting packages suspected of containing marijuana. DUANGTAVILAY and DAOREUANG returned to Buffalo, New York on October 13, 2017. While they were in California, there were 16 parcels of suspected marijuana mailed to known addresses in Rochester, including one to 679 Eaton Road that was delivered on October 14, 2017. Another parcel mailed at the same time, sent to 95 Taft Avenue, was intercepted by Postal Inspectors. Inspectors secured and executed a search warrant on that parcel and found it to contain 8 pounds of marijuana.

45. Between February 2 and August 31, 2017, PHOU DAOREUANG was observed by NYSP surveillance on 35 separate dates carrying at least 75 parcels into the residence at 10 Campbell Park. This occurred on several of the same dates that suspected marijuana parcels were delivered to his home address at 679 Eaton Road. The parcels carried into the residence at 10 Campbell Park were visually consistent to those that have been

determined to contain marijuana. On October 13, 2017, DAOREUANG was observed delivering 4 parcels suspected of containing marijuana to 10 Campbell Park and they were taken inside the residence.

46. The residence at 202 Rand Street has been identified as another location used by the organization to receive suspected marijuana parcels from California. On June 23, 2017, your affiant intercepted a parcel destined for 202 Rand St. sent from California. A search warrant was executed on the parcel and it was found to contain 8 pounds of marijuana. Between August 14, 2015 and October 19, 2017, there were 178 packages delivered to 202 Rand Street Rochester NY 14615, all shipped from various locations in California. The packages ranged in size from 3 to 20 pounds with the large majority between 10 and 17 pounds.

47. On at least 20 occasions, the residents of 202 Rand Street have been observed carrying postal boxes and large garbage bags into the residence at 10 Campbell Park.

48. On March 6, 2017, NYSP surveillance observed KONGDEUANE VONGXAY arriving at 10 Campbell Park operating the Toyota Tacoma pick-up truck, bearing New York registration HMP-5453, at approximately 4:55 pm. NYSP then observed KHONESAVANH VONGXAY walking to the end of the driveway and performing counter-surveillance by looking up and down the street as KONGDEUANE VONGXAY removed a brown cardboard box with Postal markings from the back seat of the Tacoma and took it inside the residence. This same Toyota Tacoma has been utilized on other occasions to transport similar boxes.

49. Between August 2015 and January 19, 2018, records show that 10 Campbell Park has received at least 40 parcels that are similar to the previously intercepted parcels,

and which are suspected of containing marijuana, from various locations in California. These 40 parcels have weighed a combined 350 pounds, and the most recent such parcel was on January 11, 2018 when USPS delivered an almost 4 pound parcel to 10 Campbell Park that was sent from Anaheim, California.

II. 17 Campbell Park

50. The residence at 17 Campbell Park has been identified as a location used by the organization to receive suspected marijuana parcels from California. On January 9, 2018, 17 Campbell Park, Rochester, New York, 14606, received a parcel from Fullerton, California weighing 9 pounds and was of similar size, weight, and origin to previous parcels involved in this investigation that were intercepted by Postal Inspectors and which contained marijuana.

51. Beginning in September 2017 and continuing into February 2018, NYSP surveillance has observed co-conspirators in this case walking back-and-forth between 10 Campbell Park and 17 Campbell Park. The addresses are across the street from each other and the owner of 17 Campbell Park, Mike Sypaseuth, has been observed entering the residence at 10 Campbell Park on numerous occasions.

52. In 2017, the exact date being withheld to protect the confidential witness' identity, NYSP investigators spoke with a reliable confidential witness (hereinafter "CW 1") regarding the marijuana distribution and trafficking activities of the co-conspirators in this case, specifically KOHNESEAVANH VONGXAY and PHOUMANO DUANGTAVILAY. CW 1 was arrested on February 14, 2017 for criminal possession of marihuana in the first degree by the New York State Police. CW 1 pled guilty to one count of criminal possession of marihuana in the first degree, NYPL 221.30, and agreed to cooperate with law enforcement



in the investigation of other drug traffickers as part of his plea agreement.

53. CW 1 informed investigators that VONGXAY and DUANGTAVILAY were trafficking marijuana from the residence at 10 Campbell Park. CW 1 stated he purchased marijuana from co-conspirators at 10 Campbell Park on numerous occasions. When NYSP investigators asked CW 1 if he knew how VONGXAY and DUANGTAVILAY procured marijuana for sale, CW 1 stated VONGXAY and DUANGTAVILAY got marijuana from a source in California. CW 1 stated VONGXAY and DUANGTAVILAY, or their associates, fly to California and purchase marijuana. They purchase the marijuana with money orders, rent a room at an Air BnB or hotel, and mail it back to Rochester, New York. While in California, CW 1 stated VONGXAY and DUANGTAVILAY, or their associates, purchase the marijuana from a supplier and take it to a room at a local hotel or Air BnB. Once they get back to the hotel or Air BnB room, VONGXAY and DUANGTAVILAY, or their associates, repackage the marijuana in cardboard boxes and mail from California U.S. Post Offices back to Rochester.

54. NYSP investigators queried CW 1 for information related to the purchase of marijuana. When arrested, CW 1 was in possession of a blank \$500.00 Western Union money order. NYSP investigators asked why he had the money order and CW 1 said that was the way VONGXAY and DUANGTAVILAY like to be paid. When NYSP investigators asked why they liked to be paid with blank money orders, CW 1 said VONGXAY and DUANGTAVILAY allowed payment for marijuana in cash or blank money orders. CW 1 explained that they liked to be paid in blank money orders because that is how they paid their supplier for the product. Accepting payment in blank money orders allowed VONGXAY and DUANGTAVILAY to pay for new marijuana product by passing on the blank money orders instead of converting cash to new money orders.

55. On September 8, 2017, your affiant intercepted the following outgoing Priority Mail Express envelope that was suspected to contain proceeds of narcotics sales:

USPS Tracking number EL 758 576 365 US

To: Chris Duong  
13200 Casa Linda Ln, Apt # 4  
Garden Grove, CA 92844

From: Chandy V  
17 Campbell Pk  
Rochester, NY 14606

56. On September 13, 2017, a search warrant for the Priority Mail Express envelope was executed and it was found to contain \$8,000.00 in USPS, Western Union, and MoneyGram money orders. The money orders and associated serial numbers were recorded and returned to the mail stream. The sender of this Priority Mail Express envelope, "Chandy V" has been identified as CHANDY VONGXAY, a co-conspirator in this investigation. In addition, and as previously noted, the residence at 17 Campbell Park is located across the street from 10 Campbell Park.

57. On September 16, 2017 at approximately 2:50 pm, NYSP surveillance observed PHOUMANO DUANGTAVILAY leaving 10 Campbell Park operating the black AUDI Q5. At approximately 2:51 pm, DUANGTAVILAY was observed parking in front of 75 Barker Street and exiting the AUDI Q5. DUANGTAVILAY then entered 75 Barker and, at approximately 2:54 pm, he was observed exiting the residence carrying a white bag with handles that appeared to be full and distended with contents in the shape of a rectangular box. DUANGTAVILAY placed the white bag into the rear of the AUDI Q5 and departed the area. At approximately 2:56 pm, another AUDI sedan, known by NYSP to be the vehicle of a known marijuana customer, was observed approaching 17 Campbell Park and parking on the street in front of the residence. Shortly thereafter, DUANGTAVILAY is observed approaching and passing the AUDI sedan in the AUDI Q5. DUANGTAVILAY was then

observed pulling into the driveway at 17 Campbell Park. At this point, the AUDI sedan is observed following the AUDI Q5 into the driveway at 17 Campbell Park. At approximately 3:00 pm, NYSP surveillance observed the AUDI sedan departing the area. At approximately 3:01 pm, DUANGTAVILAY was observed walking across the street to 10 Campbell Park empty-handed.

58. On January 11, 2018, your affiant noticed the following Priority Mail parcel during a review of incoming mail:

USPS Priority Mail Tracking Number 9505 8156 2331 8009 1557 36

To: Minh Danh  
17 Campbell Pk  
Rochester, NY 14606

From: Chris D  
1212 W Commonwealth Av  
Fullerton, CA 92833

The parcel was received in Rochester on January 11, 2018, with 2 other parcels originating from West Commonwealth Avenue in Fullerton, California and destined for addresses in Rochester, New York:

USPS Priority Mail Tracking Number 9505 8138 5942 8009 0927 53

To: Miguel Martinez  
77 Ave C.  
Rochester, N.Y. 14621

From: Chris D  
1212 W Commonwealth Av  
Fullerton, CA 92833

USPS Priority Mail Tracking Number 9505 5000 1354 8009 0000 24

To: Jenson Bui  
75 Barker St  
Rochester, NY 14611

From: Michael L  
340 W. Commonwealth Ave  
Fullerton, Ca 92836

59. Federal search warrants were executed on both parcels. The parcel destined for 77 Avenue C, Rochester, New York, 14621, bearing USPS tracking number 9505 8138 5942 8009 0927 53, was found to contain approximately 10 pounds, 9.30 ounces of green,

leafy substance that field-tested positive for marijuana. The parcel destined for 75 Barker Street, Rochester, New York, 14611, bearing USPS tracking number 9505 5000 1354 8009 0000 24, was discovered to contain approximately 6 pounds, 4.25 ounces of green, leafy substance that field-tested positive for marijuana. In addition, since the postage for the parcel destined for 75 Barker Street was purchased at a USPS self-service kiosk (SSK) at Anaheim Post Office, Anaheim, California, photographic images of the transaction were recovered. The person recorded utilizing the SSK to mail the parcel to 75 Barker Street was identified as PHOUMANO DUANGTAVILAY, a co-conspirator in this investigation.

### III. 75 Barker Street

60. The residence at 75 Barker Street has been identified as a location used by the organization to receive suspected marijuana parcels from California. On January 9, 2018, your affiant intercepted a parcel destined for 75 Barker Street sent from California. A search warrant was executed on the parcel and it was found to contain approximately 6 pounds of marijuana. Between June 2016 and January 9, 2018 there were 76 parcels delivered to 75 Barker Street that were all shipped from various locations in California. These parcels ranged in size from 3 to 23 pounds with the majority between 9 and 18 pounds and are of similar size and origin of other packages involved in this investigation known to contain marijuana.

61. The residents of 75 Barker Street are KEITH SURIVAN and CHANDY VONGXAY. During the course of the investigation a 2011 Honda Accord color black, bearing New York registration HLH-4153, registered to KEITH SURIVAN has been observed at 10 Campbell Park on numerous occasions being utilized to transport cardboard boxes with Postal marking and large plastic garbage bags into and out of the residence. These boxes and

plastic bags are visually similar in size and nature to other boxes and bags observed at the residence which were later determined to contain marijuana.

62. On January 6, 2017, NYSP Investigators conducted a garbage pick at 10 Campbell Park and recovered multiple empty USPS cardboard parcel boxes. When the tracking number on these parcels were checked against Postal records by Inspector Hawkins, Inspectors discovered the following destination addresses, which are associated with this organization: 75 Barker Street, Rochester, New York, 14611, 371 Jay Street, Rochester, New York, 14611, and 679 Eaton Road, Rochester, New York, 14617.

63. On January 18, 2017, Investigator Happ observed KEITH SURIVAN and CHANDY VONGXAY exit the residence at 75 Barker Street and get into a gray 2003 Honda CRV, bearing New York registration HLH5086. SURIVAN and VONGXAY proceeded to 10 Campbell Park and backed into the driveway. SURIVAN and VONGXAY then entered 10 Campbell Park and, after a brief period, exited the premises. SURIVAN was observed leaving the premises with a large black garbage bag from 10 Campbell Park, which he loaded into the rear of his vehicle. Both subjects then entered the vehicle and drove away. Constant physical surveillance was conducted on the vehicle from 10 Campbell Park until it was stopped on I-81 in the Town of Triangle by NYSP Troopers Nicholas Jones and Mark Ciccotti for not having a front license plate on their vehicle. During this traffic stop, the Troopers detected an odor of marijuana upon initial contact. Verbal admissions of possession of marijuana were made by SURIVAN and over 10 pounds of marijuana was located inside a black garbage bag inside the vehicle. Both subjects were taken to the NYSP office in Whitney Point, New York, and charged with the class C felony of Criminal possession of marijuana in the first degree, New York State Penal Law 221.30.

64. On June 2, 2017 at approximately 2:00 pm, NYSP surveillance observed KEITH SURIVAN arriving at 10 Campbell Park in the 2011 Honda Accord and proceeding to remove black plastic garbage bags (the garbage bags had a flat shape and appeared to contain compressed boxes) from the trash cans at the end of the driveway and place them into the trunk of the Honda. SURIVAN was then observed departing the residence.

65. On July 28, 2017, three parcels were delivered to 75 Barker Street, one of which was a large brown cardboard box. At approximately 2:55 pm, CHANDY VONGXAY arrived in a white Ford Edge, bearing New York registration NY HJJ-1841. NYSP surveillance observed VONGXAY exiting the residence carrying a large brown cardboard box and a green reusable bag that appeared to be full and distended with contents. VONGXAY then placed the bag and box into the Edge and departed the residence. She then proceeded to 10 Campbell Park and backed into the driveway close to the garage. KHONESAVANH VONGXAY was observed exiting the residence and quickly removing the brown cardboard box from the vehicle. KHONESAVANH VONGXAY then took the box into the house, while CHANDY VONGXAY entered the residence carrying the bag.

66. On July 28, 2017, NYSP surveillance observed KEITH SURIVAN loading plastic garbage bags from 10 Campbell Park into his 2011 Honda Accord, bearing New York registration HLH-4153. SURIVAN then drove to All County Embroidery located at 1227 Ridgeway Ave, Rochester, New York, and disposed of the garbage bags in the dumpster there. All County Embroidery is owned by PHOUNANG DAOREUANG, who is a co-conspirator in this investigation.

67. On August 6, 2017 at approximately 2:46 pm, NYSP surveillance observed KEITH SURIVAN getting into his 2011 Honda Accord, bearing New York registration

HLH-4153, that was parked in front of 75 Barker Street. SURIVAN was then observed driving to 10 Campbell Park. Once he arrived at 10 Campbell Park, SURIVAN was met at the end of the driveway by KHONESAVANH VONGXAY. SURIVAN exited the vehicle and opened the Honda's trunk to remove a large black plastic garbage bag that appeared to be full and distended with contents, and is similar to previous bags later determined to contain marijuana. SURIVAN then departed the area and VONGXAY took the bag into the residence.

68. On August 9, 2017 at approximately 1:29 pm, NYSP surveillance observed KHONESAVANH VONGXAY speaking with CHANDY VONGXAY on the sidewalk in front of 10 Campbell Park. After some time, CHANDY VONGXAY entered 10 Campbell Park and KHONESAVANH VONGXAY left the area and walked 75 Barker Street. Upon arrival at 75 Barker Street, KHONESAVANH VONGXAY got into the driver's seat of the 2011 Honda Accord, bearing New York registration HLH-4153, that was parked in front of the house. She then drove to 10 Campbell Park, backed into the driveway close to the house and removed two large black plastic bags that appeared to be full and distended with contents, and are similar to previous bags later determined to contain marijuana, from the trunk of the Honda. She then took the bags into the residence at 10 Campbell Park.

69. On October 9, 2017 DAROUNSAK DAOREUANG and PHOUMANO DUANGTAVILAY flew from Buffalo, New York to Los Angeles, California on JetBlue flight number 491. DUANGTAVILAY is the owner and resident of 10 Campbell Park. On numerous occasions, NYSP surveillance has observed DUANGTAVILAY transporting packages suspected of containing marijuana. DAOREUANG and DUANGTAVILAY returned to Buffalo, New York on October 13, 2017. While DAOREUANG and

DUANGTAVILAY were in California, there were 16 parcels of suspected marijuana mailed to known addresses in Rochester, including one to 75 Barker Street which was delivered on October 12, 2017. Another parcel mailed at the same time, sent to 95 Taft Avenue, was intercepted by Postal Inspector Landen Hawkins. A federal search warrant was executed on that parcel and it was found it to contain approximately 8 pounds of marijuana. In addition, images were pulled from the self-service kiosk (SSK) at the Alhambra Post Office in Alhambra, California. Those images show PHOUMANO DUANGTAVILAY purchasing the postage indicia used to mail the seized parcel that contained marijuana.

70. As of January 19, 2018, 75 Barker Street has received at least 76 parcels that are consistent with packages previously used by this organization, and which were later determined to contain marijuana. Further, these packages came from various locations in California, and the most recent was the parcel intercepted by your affiant on January 11, 2018 and was found to contain approximately 6 pounds of marijuana.

#### IV. 95 Taft Avenue

71. The residence at 95 Taft Avenue has been identified as a location used by the organization to receive suspected marijuana parcels from California. Between August 2015 and January 31, 2018, 95 Taft Avenue, Rochester, New York, 14609, has received at least 71 parcels suspected of containing marijuana, all shipped from various locations in California. The packages ranged in size from 7 to 20 pounds with an average weight of approximately 13 pounds per parcel. The parcels are of similar size, weight, and origin to previous parcels intercepted by Postal Inspectors that contained marijuana.



72. The residents of 95 Taft Avenue are VIENGTHONG DAOREUANG and DAROUNSAK DAORUANG, and EDDIE DAOREUANG. On numerous occasions during this investigation, a white 2017 Honda Civic, bearing New York registration HNU-2461, registered to VIENGTHONG DAOREUANG, and a red 2015 Toyota 4Runner, bearing New York registration FCW-7337, registered to DAROUNSAK DAORUANG, have been observed by NYSP surveillance at 10 Campbell Park, Rochester, New York, 14606. The vehicles have been observed transporting cardboard boxes with Postal markings and large plastic garbage bags into and out of the residence. These boxes are similar in size and nature to other boxes, described above that were later determined to contain marijuana. In addition, the plastic garbage bags appeared full and distended with contents often displaying the outline of a rectangular box inside.

73. On January 5, 2017, a parcel from Los Angeles, California weighing approximately 14 lbs. was delivered to 95 Taft Avenue by USPS letter carrier. At approximately 3:23 pm, NYSP surveillance observed PHOU DAOREUANG arriving at 10 Campbell Park operating the red 2015 TOYOTA 4Runner, bearing New York registration FCW-7337. DAOREUANG was observed backing into the driveway close to the entrance door by the garage at the front of the residence. He was then observed opening the rear tailgate of the TOYOTA 4Runner and removing a large black garbage bag that appeared full and distended with contents. DAOREUANG was then observed handing the bag to someone inside the residence. He was then observed removing 2 large brown cardboard boxes, one of which had Postal markings, from the rear of the TOYOTA 4Runner. He was then observed carrying both parcels into the residence. At approximately 3:24 pm, NYSP surveillance observed a known marijuana dealer, Joe Brown, exiting the residence at 10 Campbell Park

carrying a large black garbage bag. Brown placed it into his own vehicle and departed the area. Moments later, DAOREUANG was observed exiting the residence empty-handed and departing the area in the TOYOTA 4Runner.

74. PHOU DAOREUANG resides at 679 Eaton Road, Rochester, New York 14617. He is believed to be the brother of DAROUNSAK DAOREUANG, resident of 95 Taft Avenue, and is a co-conspirator in this investigation. As of January 31, 2018, there have been 133 suspected marijuana parcels from California delivered to 679 Eaton Road. On numerous occasions, NYSP surveillance has observed PHOU DAOREUANG delivering boxes with Postal markings to 10 Campbell Park on the same day that he received suspected marijuana parcels from California at his residence.

75. On May 19, 2017, NYSP surveillance observed 2 parcels bearing Postal markings being delivered by USPS – one to 679 Eaton Road, and one to 95 Taft Avenue. Both parcels appeared visually consistent with parcels previously found to contain marijuana (as described above). At approximately 4:00 pm, PHOU DAOREUANG was observed delivering both parcels to 10 Campbell Park.

76. On June 28, 2017, NYSP surveillance observed 3 parcels bearing Postal markings being delivered by USPS – two to 679 Eaton Road, and one to 95 Taft Avenue. Both parcels appeared visually consistent with parcels previously found to contain marijuana (as described above). At approximately 2:03 pm, PHOU DAOREUANG was observed delivering both parcels to 10 Campbell Park.

77. On July 26, 2017, NYSP surveillance observed 3 parcels bearing Postal markings being delivered by USPS – two to 679 Eaton Road, and one to 95 Taft Avenue. Both parcels appeared visually consistent with parcels previously found to contain marijuana

(as described above). At approximately 2:09 pm, PHOU DAOREUANG was observed delivering both parcels to 10 Campbell Park.

78. On July 1, 2017, a parcel from Encino, California weighing approximately 11 lbs. was delivered to 95 Taft Avenue by USPS. At approximately 4:00pm, NYSP surveillance observed DAROUNSAK DAOREUANG arriving at 10 Campbell Park operating the TOYOTA 4Runner. DAOREUANG stopped in the street perpendicular to the driveway and appeared to be waiting for someone. A short-time later, KHONESAVANH VONGXAY, a co-conspirator in this case, was observed exiting the residence and walking to the TOYOTA 4Runner. She was then observed removing a white plastic garbage bag that appeared to be full and distended with contents from the back seat of the TOYOTA 4Runner. She took the bag into the residence and DAROUNSAK DAOREUANG immediately departed the area.

79. On August 7, 2017 at approximately 4:47pm, NYSP surveillance observed PHOU DAOREUANG arriving at 10 Campbell Park operating the white 2017 Honda Civic, bearing New York registration HNU-2461, registered to VIENGTHONG DAOREUANG at 95 Taft Avenue. PHOU DAOREUANG backed into the driveway near the garage door and unloaded two cardboard boxes with Postal markings from the rear of the vehicle and took them into the residence. Earlier that day, a suspected marijuana parcel from California was delivered to PHOU DAOREUANG's address at 679 Eaton Road. Joe Brown, a known marijuana dealer was present and inside the house while this occurred.

80. On October 9, 2017 DAROUNSAK DAOREUANG and PHOUMANO DUANGTAVILAY flew from Buffalo, New York to Los Angeles, California on JetBlue, flight number 491. DUANGTAVILAY, who is the owner and resident of 10 Campbell Park,

has been observed transporting packages suspected of containing marijuana. DUANGTAVILAY and DAOREUANG returned to Buffalo, New York on October 13, 2017. While DAROUNSAK DAOREUANG and PHOUMANO DUANGTAVILAY were in California, there were 16 parcels of suspected marijuana mailed to known addresses in Rochester, including one to 679 Eaton Road, the aforementioned residence of PHOU DAOREUANG that was delivered on October 14, 2017. Another parcel mailed at the same time, sent to 95 Taft Avenue, was intercepted by Postal Inspectors. Inspectors secured and executed a search warrant on that parcel and found it to contain 8 pounds of marijuana.

V. 679 Eaton Road

81. The residence at 679 Eaton Road has been identified as a location used by the organization to receive suspected marijuana parcels from California. Between September 20, 2016 and November 8, 2017, there were 133 packages delivered to 679 Eaton Rd, Rochester, NY, 14617, all shipped from various locations in California. The packages ranged in size from 5 to 22 pounds with the majority between 10 and 18 pounds for an average weight of approximately 12 pounds per parcel. The parcels are of similar size, weight, and origin to previous parcels intercepted by Postal Inspectors that contained marijuana.

82. Throughout the course of this investigation, it has been determined by NYSP surveillance that the residents of 679 Eaton Road, PHOU DAOREUANG and JENALYN DAOREUANG, operate the following vehicles: a gray 2005 Toyota Avalon color gray, bearing New York registration HLJ-2173, and registered to PHOU DAOREUANG, and a gray 2015 Toyota Tundra, bearing New York registration 59735-ME, registered to PHOU DAOREUANG. NYSP surveillance has observed PHOU DAOREUANG operating the above vehicles at 10 Campbell Park, Rochester, New York, 14606. Like 679 Eaton Road, 10

Campbell Park is a residence in Rochester, New York, used extensively by co-conspirators in this investigation to receive, process, and store marijuana. On numerous occasions, NYSP surveillance has observed PHOU DAOREUANG utilizing the above vehicles to transport cardboard boxes with Postal markings and large plastic garbage bags into and out of the 10 Campbell Park. These boxes and plastic bags are visually similar in size and nature of other boxes and bags observed at 10 Campbell Park which were later determined to contain marijuana.

83. Between February 2, 2017, and January 1, 2018 NYSP surveillance observed PHOU DAOREUANG on at least 35 separate dates carrying at least 75 parcels into the residence at 10 Campbell Park. Oftentimes, PHOU DAOREUANG was observed carrying parcels into 10 Campbell Park the same day that suspected marijuana parcels were delivered to his home address at 679 Eaton Road. The parcels carried into the residence at 10 Campbell Park were the same type and description as those previously determined to contain marijuana. On every occasion except one, PHOU DAOREUANG utilized the gray Toyota Avalon, bearing New York registration HLJ-2173, and the gray Toyota Tundra, bearing New York registration 59735-ME, to transport the parcels.

84. On October 9, 2017, DAROUNSAK DAOREUANG, brother of PHOU DAOREUANG, and PHOUMANO DUANGTAVILAY, a co-conspirator in this case, flew from Buffalo, New York, to Los Angeles, California on JetBlue flight number 491. PHOUMANO DUANGTAVILAY is the owner and resident of 10 Campbell Park, Rochester, New York, 14606. DUANGTAVILAY has been observed transporting packages suspected of containing marijuana. They returned from California to Buffalo, New York on October 13, 2017. While they were in California, there were 16 parcels of suspected marijuana

mailed to known addresses in Rochester, including one to 679 Eaton Road which was delivered on October 14, 2017. Another parcel mailed at the same time, sent to 95 Taft Avenue was intercepted by Postal Inspector Landen Hawkins who executed a federal search warrant on the parcel and found it to contain approximately 8 pounds of marijuana.

85. On October 12 and 13, 2017, there were a total of 4 suspected marijuana parcels delivered to 679 Eaton Rd. On October 13<sup>th</sup>, NYSP surveillance observed PHOU DAOREUANG loading 4 parcels into his Toyota Tundra at the residence. DAOREUANG was then observed driving to 10 Campbell Park where he carried the parcels into the residence.

86. On January 11, 2018, NYSP surveillance observed PHOU DAOREUANG arriving at 10 Campbell Park in the Toyota Avalon. PHOU DAOREUANG was then observed entering 10 Campbell Park carrying into the residence a parcel similar in size and shape to previous parcels known to contain marijuana.

87. Since September 2016, 679 Eaton Road has received at least 133 parcels suspected of containing marijuana from various locations in California. The most recent was an approximately 7 pound parcel delivered by USPS on November 8, 2017.

#### VI. 100 Santee Street

88. The residence at 100 Santee Street has been identified as a location used by the organization to receive suspected marijuana parcels from California. On February 1, 2017, Postal Inspector Landen Hawkins intercepted a parcel destined for 100 Santee Street sent from California. A search warrant was executed on the parcel and it was found to contain over 11 pounds of marijuana. Between December 1, 2016 and January 11, 2018, there were 38 packages delivered to 100 Santee Street, Rochester, NY, 14615, all shipped from various

locations in California. The packages ranged in size from 3 to 16 pounds with an average weight of approximately 10 pounds, and are consistent with the packages used by this organization that were previously found to contain marijuana.

89. Physical surveillance has observed that the occupants of 100 Santee Street, LEN DUANGTAVILAY and MOUNE DUANGTAVILAY, operate the following vehicles: 2008 Chevrolet Trailblazer, bearing New York registration HJA-2790, and a 1998 Honda Accord, bearing New York registration GUU-2215. NYSP surveillance has observed LEN DUANGTAVILAY and MOUNE DUANGTAVILAY operating the above vehicles at 10 Campbell Park, Rochester, New York, 14606. Like 10 Campbell Park, 100 Santee Street is a residence in Rochester, New York, used extensively by co-conspirators in this investigation to receive, process, store, and sell marijuana.

90. On February 27, 2017, NYSP surveillance observed LEN DUANGTAVILAY and MOUNE DUANGTAVILAY operating a 2008 Chevrolet Trailblazer, bearing New York registration HJA-2790. The Chevrolet Trailblazer was observed arriving at 10 Campbell Park and LEN DUANGTAVILAY and MOUNE DUANGTAVILAY were exiting the vehicle. LEN DUANGTAVILAY removed a package from the vehicle and took it into 10 Campbell Park. MOUNE DUANGTAVILAY also entered the residence. A short time later, MOUNE DUANGTAVILAY was observed removing a large black trash bag from inside 10 Campbell Park and placing it into the rear of the Chevrolet Trailblazer.

91. On March 2, 2017, NYSP surveillance observed MOUNE DUANGTAVILAY operating the Chevrolet Trailblazer at 10 Campbell Park. MOUNE DUANGTAVILAY was observed entering 10 Campbell Park and leaving a short time later with a small plastic bag. She placed the bag into the Chevrolet Trailblazer and departed the

area.

92. On March 4, 2017, NYSP surveillance observed MOUNE DUANGTAVILAY operating the Chevrolet Trailblazer at 10 Campbell Park. MOUNE DUANGTAVILAY was observed entering 10 Campbell Park and leaving a short time later with a small plastic bag. She placed the bag into the Chevrolet Trailblazer and departed the area.

93. On March 12, 2017, NYSP surveillance observed LEN DUANGTAVILAY arriving at 10 Campbell Park operating the Chevrolet Trailblazer. LEN DUANGTAVILAY was observed removing a large bag from inside his vehicle and bringing it into 10 Campbell Park.

94. On March 18, 2017, NYSP surveillance observed LEN DUANGTAVILAY arriving at 10 Campbell Park operating the Chevrolet Trailblazer. LEN DUANGTAVILAY was observed entering 10 Campbell Park and leaving a short time later with a small white bag. He placed the bag into the Chevrolet Trailblazer and departed the area.

95. On March 20, 2017, NYSP surveillance observed LEN DUANGTAVILAY arriving at 10 Campbell Park operating the Chevrolet Trailblazer. LEN DUANGTAVILAY was observed entering 10 Campbell Park and leaving a short time later with a white Postal parcel. He placed the parcel into the Chevrolet Trailblazer and departed the area.

96. On March 22, 2017, NYSP surveillance observed LEN DUANGTAVILAY arriving at 10 Campbell Park operating the Chevrolet Trailblazer. Upon arrival, LEN DUANGTAVILAY is met by PHOUMANO DUANGTAVILAY who performed counter-surveillance by walking to the edge of Campbell Park and looking up-and-down the street for a few seconds. PHOUMANO DUANGTAVILAY then entered 10 Campbell Park and



retrieved a white Postal package. NYSP surveillance then observed PHOUMANO DUANGTAVILAY walk to LEN DUANGTAVILAY 'S vehicle and hand him the package through the vehicle's window. LEN DUANGTAVILAY then pulled away in the Chevrolet Trailblazer and left the area.

97. On March 30, 2017, NYSP surveillance observed MOUNE DUANGTAVILAY arriving at 10 Campbell Park operating the Chevrolet Trailblazer. Upon arrival, MOUNE DUANGTAVILAY is met by KHONESAVANH VONGXAY. VONGXAY was then observed removing 2 large black garbage bags from inside 10 Campbell Park and placing them into the Chevrolet Trailblazer. VONGXAY then took her garbage to the curb and MOUNE DUANGTAVILAY departed the area.

98. In April 2017, NYSP surveillance observed LEN DUANGTAVILAY and MOUNE DUANGTAVILAY arriving at 10 Campbell Park on several different occasions.

99. On August 10, 2017, NYSP surveillance observed MOUNE DUANGTAVILAY arriving at 10 Campbell Park operating the Chevrolet Trailblazer. Upon arrival, she was exits the vehicle and enters 10 Campbell Park. Immediately thereafter, KHONESAVANH VONGXAY was observed exiting the residence and retrieving 2 Postal packages and taking them into 10 Campbell Park.

100. On October 9, 2017, PHOUMANO DUANGTAVILAY, son of MOUNE DUANGTAVILAY and a co-conspirator in this investigation, and DAROUNSAK DAOREUANG, brother of co-conspirator PHOU DAOREUANG, flew from Buffalo, New York, to Los Angeles, California on JetBlue flight number 491. PHOUMANO DUANGTAVILAY is the owner and resident of 10 Campbell Park, Rochester, New York, 14606. DUANGTAVILAY has been observed transporting packages suspected of

containing marijuana. They returned from California to Buffalo, New York on October 13, 2017. While they were in California, there were 16 parcels of suspected marijuana mailed to known addresses in Rochester, including to 100 Santee Street.

101. On October 12, 2017, your affiant noticed the following parcel headed from California to 100 Santee Street during a review of Postal records:

USPS Tracking number 9505 5000 1354 7284 0000 26

To: Mellisa Tran  
100 Santee St  
Rochester, NY 14606-2529

From: Mike Tran  
1212 W Commwth  
Fullerton, CA 92833

The return address on this parcel, 1212 W. Commonwealth Avenue, Fullerton, CA 92833, is a return address used on many of the marijuana packages sent from California to co-conspirators in this case. During a review of Postal records, your affiant noticed the postage indicia used to mail this parcel was purchased on October 11, 2017, at a USPS self-service kiosk (SSK) in Anaheim, California. A review of SSK images revealed PHOUMANO DUNAGTAVILAY, a co-conspirator in this case, making the postage purchase at the SSK.

102. On January 10, 2018, your affiant intercepted the following parcel during a routine review of incoming mail:

USPS Tracking number 9505 8138 5942 8009 0927 53

To: Miguel Martinez  
77 Ave C.  
Rochester, NY 14621

From: Chris D.  
1212 W. Commonwealth Av.  
Fullerton, CA 92833

Your affiant noticed similarities between this parcel and previous parcels known to contain marijuana, so the parcel was pulled from the mail stream for further investigation. A federal search warrant was obtained and the parcel was found to contain approximately 10

pounds of marijuana. In addition, a review of Postal records revealed a number of parcels sent from 1212 W. Commonwealth Avenue, Fullerton, California, 92833 to the following addresses on January 8, 2018 and January 9, 2018:

174 Clay Avenue, Rochester, New York, 14613  
17 Campbell Park, Rochester, New York, 14606  
75 Barker Street, Rochester, New York, 14611

103. Between December 1, 2016 and January 19, 2018, 100 Santee Street has received at least 38 parcels suspected of containing marijuana from various locations in California. The most recent was a parcel delivered by USPS on January 11, 2018 sent from Anaheim, California.

VII. 174 Clay Avenue

104. The residence at 174 Clay Avenue has been identified as a location used by the organization to receive suspected marijuana parcels from California. Between August 2015 and January 19, 2018, 174 Clay Avenue, Rochester, New York, 14613, has received at least 120 parcels suspected of containing marijuana, all shipped from various locations in California. The packages ranged in size from 2 to 20 pounds with the majority between 12 and 19 pounds for an average weight of approximately 14 pounds per parcel. The parcels are of similar size, weight, and origin to previous parcels intercepted by Postal Inspectors that contained marijuana.

105. On May 1, 2017, Postal Inspector Landen Hawkins intercepted a parcel destined for 174 Clay Avenue sent from California. A search warrant was executed on the parcel and it was found to containing approximately 2 pounds, 5 ounces of marijuana. Between October 21, 2015 and January 11, 2018, there were 117 packages delivered to 174 Clay Avenue, Rochester, NY, 14613, all shipped from various locations in California. The

packages ranged in size from 3 to 20 pounds with an average weight of approximately 13 pounds.

106. The resident of 174 Clay Avenue, DANISHA FLOYD, operates the following vehicles: a blue 2005 Audi A8, bearing New York registration HNL-1417, and gray 2006 Audi A4, bearing New York registration HNM-4438, both registered to Danisha Floyd. In addition, it has also been determined that FLOYD operates a blue 2004 Honda Accord, bearing New York registration HGU-1998, registered to JOSEPH AMADIS. NYSP surveillance has observed DANISHA FLOYD operating the Audi A8 and Honda Accord at 10 Campbell Park, Rochester, New York, 14606. Like 174 Clay Avenue, 10 Campbell Park is a residence in Rochester, New York, used extensively by co-conspirators in this investigation to receive and store marijuana. FLOYD has been observed utilizing the Audi A8 and Honda Accord to transport cardboard boxes with Postal markings and large plastic garbage bags into and out of the residence at 10 Campbell Park. These boxes and plastic bags are similar in size and nature of other boxes and bags observed at the residence which were later determined to contain marijuana.

107. On March 27, 2017, a parcel from Encino, California weighing approximately 12 pounds was delivered to 174 Clay Avenue by USPS. At approximately 3:09 pm, FLOYD arrived at 10 Campbell Park operating the Audi A8, bearing New York registration HLN-1417. FLOYD was observed exiting the Audi A8 and entering 10 Campbell Park carrying a large brown cardboard box with Postal markings into the residence through the garage entry door. A few minutes later, she is observed departing the area empty-handed.

108. On April 3, 2017 at approximately 2:32 pm, NYSP surveillance observed DANISHA FLOYD arriving at 10 Campbell Park operating the Audi A8. FLOYD exited

the vehicle and entered the residence. Approximately 5 minutes, FLOYD was observed exiting the residence carrying a large black garbage bag that appeared to be distended and full with contents, and similar to bags previously determined to contain marijuana. She placed the bag into the Audi A8 and departed the area.

109. On April 8, 2017, a parcel from Los Angeles, California weighing approximately 14 pounds was delivered to 174 Clay Avenue by USPS. At approximately 4:32 pm, NYSP surveillance observed DANISHA FLOYD arriving at 10 Campbell Park operating the Honda Accord. FLOYD opened the trunk and removed a black duffel bag and a large brown cardboard box with Postal markings on it and carried both inside the residence. Approximately 3 minutes later, FLOYD was observed exiting the residence with only the black duffel bag. She then placed the bag into the trunk of the Honda Accord and departed the area.

110. On August 5, 2017, a parcel from Anaheim, California weighing approximately 12 pounds was delivered to 174 Clay Avenue by USPS. At approximately 1:01 pm, NYSP surveillance observed DANISHA FLOYD arriving at 10 Campbell Park operating the Honda Accord. FLOYD was observed removing a large brown cardboard box with Postal markings from the vehicle and carrying it into the residence. She departed approximately 4 minutes later.

111. On August 10, 2017, a parcel from Stockton, California weighing 11 lbs. was delivered to 174 Clay Avenue by USPS. At approximately 2:00 pm, NYSP surveillance observed DANISHA FLOYD arriving at 10 Campbell Park operating the Honda Accord. FLOYD is then observed removing 2 large brown cardboard boxes with Postal markings from

the vehicle and carrying them into the residence through the open garage door. Approximately 4 minutes later she is observed departing the area.

112. On August 11, 2017, a parcel from Fullerton, California weighing 9 pounds was delivered to 174 Clay Avenue by USPS. At approximately 11:42 am, NYSP surveillance observed DANISHA FLOYD arriving at 10 Campbell Park operating the Honda Accord. She was observed exiting the Honda Accord and removing a large brown cardboard box with Postal markings from the vehicle. She carried the parcel into the residence at 10 Campbell Park and departed in The Honda Accord approximately 3 minutes later.

113. On September 28, 2017, NYSP surveillance observed FLOYD entering the driveway of 10 Campbell Park operating the Honda Accord. At approximately 4:29 pm, FLOYD was observed exiting 10 Campbell Park with a bag that appeared distended and full with contents. FLOYD then entered the passenger side of a tan 2002 GMC Envoy, bearing New York registration HRX-3227. At 4:40 pm, she exited the vehicle and re-entered 10 Campbell Park with the bag, which appeared flaccid and empty. At 4:43, she exited the residence at 10 Campbell Park and departed in the Honda Accord.

114. On January 14, 2018 at approximately 3:38 pm, NYSP surveillance observed FLOYD operating a Mazda 6, bearing New York registration HRX-9057, entered the driveway at 10 Campbell Park. FLOYD is then observed exiting the vehicle and meeting PATHANA VONGXAY at the garage entry door. FLOYD enters the residence empty-handed and exits a short time later carrying a red plaid bag. FLOYD is then observed departing the area in the Mazda 6.

115. A short time later, FLOYD is observed driving the Mazda 6 to a meeting with an unknown person driving a gray 2017 Toyota Camry, on the street in front of 75 Barker

Street, 14611 (another target address of this investigation). At approximately 3:42 pm, FLOYD is observed entering the backseat area of the Toyota Camry carrying the red plaid bag that appears full and distended with contents. At approximately 3:45 pm, FLOYD exits the Toyota Camry and returns to the Mazda 6 with the red plaid bag, which now appears flaccid and empty. At that point, both vehicles departed the area. At approximately 3:47 pm, NYSP surveillance observed FLOYD returning to 10 Campbell Park in the Mazda 6. FLOYD is observed exiting the vehicle and entering the residence at 10 Campbell Park carrying the empty red plaid bag and a wad of cash.

116. Between August 2015 and January 31, 2018, 174 Clay Avenue has received at least 120 parcels consistent with those previously found to contain marijuana from various locations in California. The most recent was an approximately 13 pound parcel delivered by USPS on January 11, 2018.

#### VIII. 202 Rand Street

117. The residence at 202 Rand Street has been identified as a location used by the organization to receive suspected marijuana parcels from California. Between August 14, 2015 and January 24, 2018, there were 193 packages delivered to 202 Rand Street, Rochester, NY, 14615, all shipped from various locations in California. The packages ranged in size from 2 to 22 pounds with the majority between 14 and 17 pounds for an average weight of approximately 13 pounds per parcel. The parcels are of similar size, weight, and origin to previous parcels intercepted by Postal Inspectors that contained marijuana.

118. The residents of 202 Rand Road, KONGCHAY KONGTHONG, MANIVONE PHOMMAVISETH, LEEYA PHOMMAVISETH, and ALEJANDRO ESTRELLA operate the following vehicles: a gray 2008 Suzuki Grand Vitara, bearing New

York registrations ESD-5010 and HRX-3071, registered to KONGCHAY KONGTHONG, and a 2000 Honda Civic, bearing New York registration HGA-8480, registered to ALEJANDRO ESTRELLA. NYSP surveillance has observed KONGCHAY KONGTHONG, MANIVONE PHOMMAVISETH, LEEYA PHOMMAVISETH, and ALEJANDRO ESTRELLA operating the above vehicles at 10 Campbell Park, Rochester, New York, 14606. Like 202 Rand Street, 10 Campbell Park is a residence in Rochester, New York, used extensively by co-conspirators in this investigation to receive, process, and store, and sell marijuana. On numerous occasions, NYSP surveillance has observed KONGCHAY KONGTHONG and MANIVONE PHOMMAVISETH utilizing the above vehicles to transport cardboard boxes with Postal markings and large plastic garbage bags into and out of the 10 Campbell Park. These boxes and plastic bags are visually similar in size and nature of other boxes and bags observed at 10 Campbell Park which were later determined to contain marijuana.

119. On February 2, 2017, a package from California weighing approximately 16 pounds was delivered to 202 Rand Street by USPS. At approximately 12:44 pm, KONGCHAY KONGTHONG arrived at 10 Campbell Park operating the Suzuki Vitara, bearing New York registration ESD-5010. KONGTHONG removed a large brown cardboard box with Postal markings from the rear tailgate of the Suzuki Vitara and carried the box into the residence. At approximately 1:00 pm, KONGTHONG was observed exiting the residence carrying a plastic bag in his right hand. KONGTHONG placed the bag into the back seat area of the Suzuki Vitara and departed the area.

120. On February 13, 2017, two packages from Los Angeles and Oakdale, California weighing approximately 13 pounds and 15 pounds, respectively, were delivered to



202 Rand Street by USPS. At approximately 2:11 pm, NYSP surveillance observed MANIVONE PHOMMAVISETH arriving at 10 Campbell Park operating the Suzuki Vitara. PHOMMAVISETH removed two cardboard boxes with Postal markings from the rear passenger seat area of the Suzuki Vitara and carried the boxes into the residence. At approximately 2:19 pm, PHOMMAVISETH was observed returning to the Suzuki Vitara and departing the area.

121. On February 14, 2017 at approximately 1:33 pm, NYSP surveillance observed an Asian female arriving at 10 Campbell Park operating the Suzuki Vitara. She retrieved a large black plastic garbage bag that appeared to be full and distended with contents from the rear tail gate area of the vehicle. The Asian female was then observed carrying the bag into the residence at 10 Campbell Park. At approximately 1:47 pm, she returned to the Suzuki Vitara and departed the area.

122. On March 18, 2017 at approximately 5:54 pm, NYSP surveillance observed KONGCHAY KONGTHONG and MANIVONE PHOMMAVISETH arrived at 10 Campbell Park operating the Suzuki Vitara. They were both observed exiting the vehicle and entering the residence. At approximately 6:38 pm, an Asian female exited the residence carrying a large plastic black garbage bag that appeared to be full and distended with contents. She placed the bag in back seat area of a 2017 Nissan, bearing Pennsylvania registration KGP-8363 that was parked in the driveway. The Asian female then opened the rear tailgate of the Suzuki Vitara, owned and operated by KONGCHAY KONGTHONG, and removed a large plastic black garbage that appeared to be full and distend with contents and placed that bag in the back seat area of the 2017 Nissan. At Approximately 7:30 pm, KONGCHAY KONGTHONG and MANIVONE PHOMMAVISETH exited the residence and departed

the area in the 2017 Nissan with the contents in the back seat area of the vehicle.

123. On March 25, 2017 at approximately 12:26 pm, NYSP surveillance observed an Asian female arriving at 10 Campbell Park operating the Suzuki Vitara. She was observed retrieving a brown cardboard box from the passenger seat and delivering it to another Asian female in the doorway of the residence at 10 Campbell Park. At approximately 12:28 pm, the Asian female departed the area operating the Suzuki Vitara

124. On March 26, 2017 at approximately 10:47 am, KONGCHAY KONGTHONG, operating the Suzuki Vitara, was observed by NYSP surveillance arriving at 10 Campbell Park with an Asian female passenger. They exited the vehicle and entered the residence. At approximately 10:52 am, KONGTHONG and the Asian female exited the residence. KONGTHONG was observed carrying a large plastic garbage bag that appeared to be full and distended with contents. KONGTHONG placed the garbage bag in the rear tailgate area of the Suzuki Vitara and departed with the Asian female.

125. On March 27, 2017 two packages from California, one weighing approximately 13 pounds and the other of unknown weight, were delivered to 202 Rand St by USPS. At approximately 12:37 pm, NYSP surveillance observed an Asian female arriving at 10 Campbell Park operating the Suzuki Vitara. She exited the driver's seat and removed 2 cardboard boxes with Postal markings from the back seat area of the Suzuki Vitara. She then proceeded to carry the boxes into the residence. At approximately 12:56, the Asian female was observed departing the area in the Suzuki Vitara.

126. On March 29, 2017 a package from California weighing approximately 12 pounds was delivered to 202 Rand St by USPS. At approximately 1:46 pm, NYSP surveillance observed MANIVONE PHOMMAVISETH arriving at 10 Campbell Park

operating the Suzuki Vitara. She exited the driver's seat and removed a large brown cardboard box with Postal markings from the back seat area of the Suzuki Vitara. PHOMMAVISETH was then observed carrying the box into the residence. At approximately 2:10 pm, MANIVONE PHOMMAVISETH exited the residence and departed in the Suzuki Vitara.

127. On April 7, 2017 a package from California weighing approximately 14 pounds was delivered to 202 Rand St by USPS. On April 8, 2017 at approximately 12:34 pm, NYSP surveillance observed MANIVONE PHOMMAVISETH arriving at 10 Campbell Park operating the Suzuki Vitara. PHOMMAVISETH exited the driver's seat and removed a large brown cardboard box with Postal markings from the back seat area of the Suzuki Vitara. She was then observed carrying the box into the residence. At approximately 12:40 pm, MANIVONE PHOMMAVISETH exited the residence and departed in the Suzuki Vitara.

128. On April 11, 2017, NYSP surveillance observed KONGCHAY KONGTHONG, operating the Suzuki Vitara, arriving at 10 Campbell Park. At approximately 12:40pm, KONGHTONG entered the residence. At approximately 12:42, he exited the residence carrying a white plastic garbage bag that appeared to be full and distended with contents, similar to those previously determined to contain marijuana. KONGTHONG was then observed placing the bag into the back seat area of the Suzuki Vitara and departing the area.

129. On April 15, 2017 at approximately 6:15 pm, NYSP surveillance observed the Honda Civic, bearing New York registration HGA-8480, owned by ALEJANDRO ESTRELLA, arriving at 10 Campbell Park. An Asian female is observed exiting the passenger door of the vehicle and carrying a large black plastic garbage bag into the residence

that appeared to be distended and full with contents.

130. On April 27, 2017, a package from California weighing approximately 12 pounds was delivered to 202 Rand St by USPS. At approximately 1:31 pm, NYSP surveillance observed KONGCHAY KONGTHONG arriving at 10 Campbell Park operating the Suzuki Vitara. KONGTHONG was then observed removing a dark-colored duffel bag from the rear tailgate of the Suzuki Vitara and carrying it into the residence at 10 Campbell Park. At approximately 1:40 pm, KONGTHONG exited the residence and departed in the Suzuki Vitara.

131. On May 8, 2017, a package from California weighing approximately 12 pounds was delivered to 202 Rand St by USPS. At approximately 12:26 pm, NYSP surveillance observed KONGCHAY KONGTHONG arriving at 10 Campbell Park operating the Suzuki Vitara. KONGTHONG is observed removing a white plastic bag from the rear tailgate of the Suzuki Vitara and carrying it into the residence at 10 Campbell Park. At approximately 12:31, KONGTHONG is observed exiting the residence carrying a large black plastic garbage bag that appeared to be full and distended with contents, and placing it inside the Suzuki Vitara. KONGTHONG then departed the area in the Suzuki Vitara. At approximately 1:54 pm, the Suzuki Vitara returned to 10 Campbell Park, and MANIVONE PHOMMAVISETH exited the passenger seat and removed a large plastic black garbage bag that appeared to be full and distended with contents from the back seat area, and consistent with bags previously found to contain marijuana. PHOMMAVISETH was then observed carrying the garbage bag into the residence at 10 Campbell Park. At approximately 1:58 pm, PHOMMAVISETH returned to the Suzuki Vitara and departed the area.

132. On May 11, 2017 at approximately 5:14 pm, NYSP surveillance observed the

Honda Civic arriving at 10 Campbell Park. An Asian male operator is observed exiting the vehicle and entering the residence carrying a small black plastic bag. At approximately 5:15 pm, the same Asian male is observed exiting the residence and departing the area in the Honda Civic.

133. On June 10, 2017, at approximately 2:58pm, NYSP surveillance observed the Suzuki Vitara arriving at 10 Campbell Park. An Asian Female is observed removing a cardboard box from the rear tailgate area of the vehicle and taking it inside the residence at 10 Campbell Park.

134. On June 16, 2017, a check of New York State Department of Motor Vehicle records revealed that New York registration ESD-5010 on the 2008 Suzuki Vitara was replaced by New York registration HRX-3071. The vehicle remained registered to KONGCHAY KONGTHONG at 202 Rand St Rochester, New York.

135. On June 23, 2017, your affiant intercepted a parcel, bearing USPS Priority Mail tracking number 9505 5154 6596 7170 0830 64, destined for 202 Rand St, Rochester, NY, 14615, that contained the following sender and addressee information:

From: Jea Sang S  
Heart Clothing Boutique  
1903 Capital Ave  
Sacramento CA 95811

To: Mami P  
202 Rand St  
Rochester NY 14615

A federal search warrant was executed on this parcel and approximately 8 lbs, 9.5 oz of green, leafy substance that field-tested positive for marijuana was recovered from inside the package.

136. On June 30, 2017 at approximately 12:54 pm, NYSP surveillance observed the Suzuki Vitara, bearing recently-changed New York registration HRX-3071, arriving at 10 Campbell Park with an Asian female operating the vehicle. The Asian female was observed

entering the residence. At approximately 1:03 pm, the Asian female exited the residence carrying a large black garbage bag that appeared to be full and distended with contents and placed it into the back seat area of the Suzuki Vitara. A second Asian female, who had exited the residence at the same time as the first Asian female, performed counter-surveillance by walking to the rear of the Suzuki Vitara and looking up and down the street as the bag was being placed into the vehicle.

137. On September 21, 2017 at approximately 9:10 am, NYSP surveillance observed a package from California weighing approximately 10 pounds was delivered to 38 Magee Avenue, Rochester, New York, 14613, and placed in the front porch area by a USPS letter carrier. At approximately 9:25 am, KONGCHAY KONGTHONG was observed arriving at 38 Magee Avenue operating the Suzuki Vitara. KONGTHONG removed the package from the front porch area of 10 Campbell Park and placed it into the Suzuki Vitara. KONGTHONG was then observed departing the area and driving to his residence at 202 Rand St.

138. On September 26, 2017 at approximately 9:10 am, a package from California weighing approximately 10 pounds was delivered to 38 Magee Avenue by USPS. At approximately 9:25 am, NYSP surveillance observed KONGCHAY KONGTHONG arriving at 38 Magee Avenue operating the Suzuki Vitara. KONGTHONG was observed entering the residence empty-handed. Moments later, he was observed exiting the residence and returning to his vehicle carrying a gray plastic garbage bag through which the outline of a large box could be seen. He placed the bag inside the Suzuki and drove to 202 Rand St where he removed the bag and took it inside the residence.

139. On October 10, 2017 at approximately 2:30am, NYSP Investigator Jeff Waite

visited 202 Rand Street to install a court-ordered Global Positioning System (hereinafter “GPS”) tracking unit on the 2008 Suzuki Vitara, bearing New York registration HRX-3071, which was parked in the driveway. As Investigator Waite walked next to the house he observed that the basement window was open and he smelled a strong odor of marijuana emanating from the basement.

140. On October 19, 2017, your affiant intercepted a Priority Mail Express envelope suspected of containing money orders. A federal search warrant was executed on the parcel and it was found to contain 13 money orders worth \$12,900.00 – eight (8) USPS money orders for \$1,000.00 each, four (4) MoneyGram money orders for \$1,000.00 each, and one (1) MoneyGram money order for \$900.00, for a total of \$12,900.00 in assorted money orders. The envelope contained the following address information across its face:

USPS Priority Mail Express tracking number EL 817 205 345 US

From: M. Phommaviseth  
202 Rand St.  
Rochester, NY 14615

To: Daryl Vinavong  
401 Alboran Sea Circle  
Sacramento, CA 95834

141. “M. Phommaviseth” was determined to be MANIVONE PHOMMAVISETH, so on October 20, 2017, your affiant reviewed video at Westgate Post Office, 1485 Howard Road, Rochester, New York, 14624. On October 19, 2017, at approximately 3:51 pm, MANIVONE PHOMMAVISETH was recorded entering the Westgate Post Office. PHOMMAVISETH was recorded standing in line at the Post Office for approximately 4 minutes. At approximately 3:55 pm, PHOMMAVISETH was recorded approaching the clerk and purchasing two (2) USPS money orders, serial numbers 23890148785 and 23890148796, with a stack of prepared U.S. currency. These USPS money orders were 2 of the money orders recovered during the execution of the search warrant on the USPS Priority

Mail Express envelope, bearing tracking number EL 817 205 345 US, listed above.

142. On October 20, 2017, your affiant also reviewed video at Lexington Post Office, 1280 Lexington Avenue, Rochester, New York, 14606. On October 19, 2017, at approximately 4:38 pm, MANIVONE PHOMMAVISETH was recorded entering the Lexington Post Office. At approximately 4:39 pm, PHOMMAVISETH was recorded approaching the counter, handing the clerk a stack of prepared U.S. currency for the purchase of two (2) USPS money orders, bearing serial numbers 23793489786 and 23793489797. PHOMMAVISETH was then recorded briefly leaving the counter line to procure a 6" x 10" brown ReadyPost photo document mailer from the retail store area of the Post Office - These two (2) USPS money orders were recovered during execution of the search warrant on the USPS Priority Mail Express envelope, bearing tracking number EL 817 205 345 US, listed above. In addition, the 6" x 10" brown ReadyPost photo document mailer was also discovered during the execution of the search warrant on the USPS Priority Mail Express envelope, bearing tracking number EL 817 205 345 US, listed above, as well.

143. On October 20, 2017, your affiant reviewed video at Westgate Post Office, 1485 Howard Road, Rochester, New York, 14624. On October 19, 2017, at approximately 5:37 pm, KONGCHAY KONGTHONG was recorded entering the Westgate Post Office holding a Priority Mail Express envelope in his left hand. KONGTHONG was recorded standing in line at the Post Office for approximately 3 minutes. At approximately 5:40 pm, KONGTHONG was recorded approaching the clerk and mailing the Priority Mail Express envelope. A search of Postal records revealed that a Priority Mail Express envelope, bearing tracking number EL 817 205 345 US, was mailed at Westgate Post Office on October 19, 2017 at approximately 5:40 pm – EL 817 205 345 US is the same Priority Mail Express found



to contain the four (4) money orders, bearing serial numbers 23793489786, 23793489797, 23890148785, and 23890148796, purchased earlier in the day by MANIVONE PHOMMAVISETH and discovered during the warrant execution listed above.

144. On October 24, 2017, your affiant intercepted a Priority Mail Express envelope suspected of containing money orders. A federal search warrant was executed on the parcel and it was found to contain 12 money orders worth \$11,800.00 – four (4) USPS money orders for \$1,000.00 each, six (6) MoneyGram money orders for \$1,000.00 each, and two (2) MoneyGram money orders for \$900.00 each. The envelope contained the following address information across its face:

USPS Priority Mail Express tracking number EK 996 930 336 US

From: Kongchay Kongthong  
202 Rand Street  
Rochester, NY 14615

To: Phongsavanh Vinavong  
2055 Wilcox Ranch Rd  
Plumas Lake, CA 95961

145. On October 27, 2017, your affiant intercepted a Priority Mail Express envelope suspected of containing money orders. A federal search warrant was executed on the parcel and it was found to contain 13 money orders worth \$12,700.00 – eight (8) USPS money orders for \$1,000.00 each, two (2) USPS money orders for \$900.00 each, two (2) MoneyGram money order for \$1,000.00, and one (1) MoneyGram money orders for \$900.00 each. The envelope contained the following address information across its face:

USPS Priority Mail Express tracking number EK 996 931 787 US

From: Kongchay Kongthong  
202 Rand St.  
Rochester, NY 14615

To: Linda Malathip  
6312 Laurine Way  
Sacramento, CA 95824

146. As of January 10, 2018, Postal Inspectors have intercepted 5 Priority Mail Express

envelopes each bearing the return addresses of 202 Rand St, Rochester, NY 14615. The total amount of USPS and MoneyGram money orders seized or recorded from these envelopes totals \$79,400.00. In addition, the residents of 202 Rand Street, KONGCHAY KONGTHONG and MANTIVONE PHOMMAVISETH have been observed during surveillance, physical and video, purchasing money orders at Post Offices in structured amounts to avoid Bank Secrecy Act reporting requirements. Between August 4, 2015 and January 24, 2018, there were 193 packages delivered to 202 Rand Street, Rochester, NY, 14615, all shipped from various locations in California, consistent with those previously determined to contain marijuana, and which weighed over 2,000 pounds in total.

IX. 371 Jay Street

147. The residence at 371 Jay Street has been identified as a location used by the organization to receive suspected marijuana parcels from California. Between August 2015 and January 31, 2018, 371 Jay Street, Rochester, New York, 14613, has received at least 44 parcels suspected of containing marijuana, all shipped from various locations in California. The packages ranged in size from 7 to 18 pounds with an average weight of approximately 13 pounds per parcel. The parcels are of similar size, weight, and origin to previous parcels intercepted by Postal Inspectors that contained marijuana.

148. The resident of 371 Jay Street is KONGCHANH VIRIYAVONG. During the course of the investigation, a gray 2011 Nissan Rogue, bearing New York registration FPG-2395, a gray 2017 Acura RDX, bearing New York registration HJK-2455., and a black 2012 Acura TSX, bearing New York registration FWV-6912, each registered to KONGCHANH VIRIYAVONG, have been observed at 10 Campbell Park on numerous occasions being utilized to transport cardboard boxes with Postal markings and large plastic garbage bags into

and out of the residence. These boxes and plastic bags are visually similar in size and nature to other boxes and bags observed at 10 Campbell Park which were later determined to contain marijuana.

149. On May 1, 2017, NYSP surveillance observed KONGCHANH VIRIYAVONG removing a black plastic garbage bag that appeared to be full and distended with contents from the rear of the Nissan Rogue, bearing New York registration FPG-2395, at 10 Campbell Park. VIRIYAVONG was observed entering the residence at 10 Campbell Park with the garbage bag and leaving empty-handed a short time later.

150. On May 21, 2017, NYSP surveillance observed an unknown Asian female removing a black plastic garbage bag that appeared to be full and distended with contents from the rear of the Acura RDX, bearing New York registration HJK-2455. The unknown Asian female was observed entering the residence at 10 Campbell Park with the garbage bag and leaving empty-handed a short time later.

151. On May 25, 2017, NYSP surveillance observed KONGCHANH VIRIYAVONG removing a black plastic garbage bag that appeared to be full and distended with contents from the rear of the Nissan Rogue, at 10 Campbell Park. VIRIYAVONG was observed entering the residence at 10 Campbell Park with the garbage bag and leaving empty-handed a short time later.

152. On June 2, 2017, NYSP surveillance observed KONGCHANH VIRIYAVONG removing a black plastic garbage bag that appeared to be full and distended with contents from the rear of the Nissan Rogue, at 10 Campbell Park. VIRIYAVONG was observed entering the residence at 10 Campbell Park with the garbage bag and leaving empty-handed a short time later.

153. On August 11, 2017 at approximately 4:25 pm, NYSP surveillance observed a USPS letter carrier delivering 3 parcels to 10 Campbell Park. At approximately 5:11pm, VIRIYAVONG was observed entering the driveway at 10 Campbell Park operating the Acura TSX. At approximately 5:14 pm, VIRIYAVONG was observed exiting the residence carrying a black plastic garbage bag that appeared to be full and distended with contents. VIRIYAVONG was then observed placing the bag into the Acura TSX and departing the area.

154. On October 6, 2017, Postal Inspector Landen Hawkins intercepted the following outgoing Priority Mail Express envelope that was suspected to contain proceeds of narcotics sales:

USPS Tracking # EI 895 718 547 US  
From: Kongchanh Viriyavong  
371 Jay St  
Rochester, NY 14611

To: Sone Rasavong  
1854 Hille Ave  
Marysville, CA 95901

Inspector Hawkins executed a federal search warrant for the Priority Mail Express envelope and recorded \$14,900.00 in Money Orders.

155. On November 1, 2017, your affiant noticed a parcel destined for 371 Jay Street during a review of Postal records. Since the incoming parcel matched the size, weight, and source city information of previous parcels known to contain marijuana, physical surveillance was set up on 371 Jay Street.

156. On November 3, 2017, NYSP Investigator Thomas Walton and several other members of the NYSP set up physical surveillance on 371 Jay Street. At approximately 2:00 pm a USPS letter carrier delivered a package to 371 Jay Street. The letter carrier walked to the rear door of 371 Jay Street and engaged in a conversation with an Asian male. The letter

carrier then gave the package to the Asian male who, in turn, took the package into the residence.

157. On January 11, 2018, your affiant noticed a parcel destined for 10 Campbell Park during a review of Postal records. Since the incoming parcel matched the size, weight, and source city information of previous parcels known to contain marijuana, physical surveillance was set up on 371 Jay Street.

158. On January 11, 2018, NYSP Investigator Thomas Walton and several other members of the NYSP set up physical surveillance at 10 Campbell Park. At approximately 3:53 pm, a USPS letter carrier delivered 2 parcels. At approximately 4:07 pm, KEITH SURIVAN walked from 75 Barker Street, Rochester, New York, to 10 Campbell Park carrying a black backpack and a large white shopping bag. SURIVAN collected the recently delivered parcels, unlocked the garage's entry door, and carried them into the residence at 10 Campbell Park. At approximately 4:32 pm, NYSP physical surveillance observed VIRIYAVONG arriving at 10 Campbell Park in the Acura TSX. VIRIYAVONG exited the Acura TSX and entered 10 Campbell Park empty-handed. At approximately 4:46 pm, KONGDEUANE VONGXAY exited the residence at 10 Campbell Park and performed counter-surveillance by walking to the edge of the driveway and looking up-and-down the street while VIRIYAVONG was exited the residence carrying a shopping bag. VIRIYAVONG then entered the Acura TSX and NYSP followed him to 371 Jay Street where he was observed entering the residence with the shopping bag.

159. Between August 2015 and January 31, 2018, 371 Jay Street, Rochester, New York, 14613, has received at least 44 suspected of containing marijuana from various locations in California, and which were consistent with packages previously determined to

contain marijuana. The most recent was an approximately 15 pound parcel delivered by USPS on November 8, 2017.


### CONCLUSION

Based on the foregoing, I respectfully submit that these facts establish probable cause to believe that PHOUMANO DUANGTAVILAY, KHONESAVANH VONGXAY, KONGCHAY KONGTHONG, MANIVONE PHOMMAVISETH, JAMES VONGXAY, CHANDY VONGXAY, KEITH SURIVAN, PHETNALAY DOUNG TAVILAY, PHOU DAOREUANG, DANISHA FLOYD, JERIMIAH TORRES, PATHANA VONGXAY, and KONGDEUANE VONGXAY have committed violations of Title 21, United States Code, Sections 846 and 841(b)(1)(B) (conspiracy to possess with intent to distribute and to distribute 100 kilograms or more of a mixture or substance containing a detectable amount of marijuana), and that probable cause exists to believe that evidence, fruits and instrumentalities of such violations are located inside the locations known as:

- a) 10 Campbell Park, Rochester, NY - the residence of PHOUMANO DUANGTAVILAY, KHONESAVANH VONGXAY, KONGDEUANE VONGXAY, and JAMES VONGXAY.
- b) 202 Rand Street, Rochester, NY - the residence of KONGCHAY KONGTHONG and MANIVONE PHOMMAVISETH.
- c) 75 Barker Street, Rochester, NY - the residence of CHANDY VONGXAY and KEITH SURIVAN.
- d) 100 Santee Street, Rochester, NY – the residence of Moune Douangtavilay and Len Douangtavilay.
- e) 679 Eaton Road, Rochester, NY- the residence of PHOU DAOREUANG.
- f) 174 Clay Avenue, Rochester, NY- the residence of DANISHA FLOYD.
- g) 95 Taft Avenue, Rochester, NY- the residence of Darounsak Daoreuang and Viengthong Daoreuang.
- h) 371 Jay Street, Rochester, NY- the residence of Kongchanh Viriyavong.
- i) 17 Campbell Park, Rochester, NY – a residence owned by Mike Sypaseuth with utilities paid by KONGDEUANE VONGXAY.

All of which are further described in their respective **Attachments A**, and that probable cause exists to seize those items set forth in **Attachment B**.

**WHEREFORE**, it is respectfully requested that this Court issue the requested search warrant authorizing the search of the listed residences as described in **Attachments A**, for the items described in **Attachments B**.

  
JERRY S. STYERS  
Postal Inspector  
U.S. Postal Inspection Service

Sworn and subscribed to before

me this 5 day of March, 2018.

  
HON. JONATHAN W. FELDMAN  
United States Magistrate Judge